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HARRIS COUNTY, 1822-1845

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HARRIS COUNTY, 1822-1845¹

ADELE B. LOOSCAN

I. FIRST SETTLERS

It is difficult to trace the first white settlers in a country inhabited only by Indians of nomadic habits, such as frequented the shores of Texas. In most cases the first settlers are of habits similar to those of wandering tribes, and after a brief stay, move on to more inviting localities. It is only after they have begun to arrive in considerable numbers, and land titles are issued to them, that accurate data are obtainable as to their names, number and location.

In the case of Harris County we know only that when the first

¹I am indebted to the following sources for the material of this history: Original letters and business papers of the family of John R. Harris, of Lewis Birdsall, and of Andrew Briscoe; records of county court, probate and commissioners courts, and district court of Harris county; *The Gazette*, published at San Felipe de Austin, October, 1829, by Goodwin Brown Cotton; *The Telegraph and Texas Register* (Houston), 1838-1856 (incomplete); *The Morning Star* (Houston), volumes 1 to 6, April 8, 1839, to October 26, 1844; "Extracts from an Historical sketch of Harris County," by C. Anson Jones, in Burke's *Texas Almanac*, 1879, taken from an address read by him at the centennial celebration held at the State Fair Grounds, in Houston, July 4, 1876, "A Manuscript History of the Early Settlement of Harris County," by Mrs. Mary J. Briscoe (only daughter of John R. Harris), written by her for the Ladies' Reading Club of Houston in 1885; *The Morning Star*, H. D. Fitch, editor, Houston, March 4, 1840; Letters from A. B. Dodson of Alice, Texas, *Texas Almanac*, 1858, pp. 115-116, and 1859, pp. 36-59, *From Virginia to Texas* (1835), being a diary of Colonel Wm. F. Gray, published by A. C. Gray in 1909; *Six Decades in Texas*, by F. R. Lubbock, "Troubles of a Mexican Revenue Officer," by Eugene C. Barker, in *THE QUARTERLY*, IV, 190-202; "Reminiscences of Mrs. Dilue Harris," *Ibid.*, IV, 85-127, 155-189, VII, 214-222; "The first Texas Railroad," by P. Briscoe, *Ibid.*, 279-286; *Year Book for Texas* (1901), by C. W. Raines; biographical sketches by John Henry Brown, in his *Indian Wars and Texas Pioneers*; biographical sketches of citizens of Houston and Galveston in *History of Texas*, published by Lewis Publishing Company, Chicago, 1895. "A Tale of two Texas towns" (Anahuac and Harrisburg), by Adele B. Looscan, *Galveston News*, September 6, 1903. "History of The Texas Press," by A. C. Gray, in *A Comprehensive History of Texas*, II, 368-423, and copies of papers filed in court in the succession of John R. Harris, the final settlement of the business having been effected by Judge Andrew Briscoe. The "Extracts from an Historical Sketch of Harris County," were, so far as statements about early settlers are concerned, chiefly obtained from John Iiams (son of the first settler), and members of other families who arrived at an early period.

colonists from the United States came to its shores at the invitation of the empresario, Stephen F. Austin, they found a few settlements already established on the shores of Galveston Bay and the streams emptying into it. The names of some of these settlers have been handed down by unofficial writers in newspapers, a few from the recollections of their contemporaries.

The year 1822 seems to have been the earliest period claimed for any settlements, and it is more than probable that the rumor of Austin's colonization scheme caused them to be made. A few settlers may have come overland from Louisiana, but those of whom record is here made, arrived on shipboard, and were in some instances tossed ashore when their frail boats were wrecked by storms on the reefs and bars of the bay. Numbered among these were Moses L. Choate and Colonel Pettus, on board the *Revenge*, which was wrecked on Red Fish Bar, in April, 1822. Their schooner, commanded by Captain Shires, ran aground, and the passengers left the vessel and went up the San Jacinto River, where they made homes, probably the first settlements on this river, or in Harris County. Only the names of the two mentioned here have been preserved. There was also a Mr. Ryder, who in 1822 lived alone at the extreme end of Morgan's Point. He was a surveyor. Beyond this nothing has been handed down regarding him.

John Iiams is the next of whom we have record. Embarking at Berwick's Bay, Louisiana, with his family, consisting of a wife and two boys, he landed at Galveston Island on June 3, 1822. He settled on the main land of Galveston Bay, at what was known as Cedar Point, where a league of land was afterwards granted him by S. F. Austin.

In about two weeks after Iiams and his family arrived, Dr. Johnson Hunter came, with his family. Their advent was attended by dangers and hardships such as were experienced by few. Their vessel was wrecked on Galveston Island; there were five children, one, William, an infant in arms. After repairing the boat, they succeeded in reaching the mainland, afterwards called Morgan's Point, where they first made their home, and where Johnson Hunter located one of the original land grants from the Mexican Government.

Nathaniel Lynch came and settled at the point where Buffalo Bayou flows into the San Jacinto River. This was also in the

year 1822. The settlement which grew up around him was called Lynchburg, and the ferry there established was of great service to early settlers, and was long known as Lynch's Ferry. At about the same time John D. Taylor settled on the north side of the San Jacinto River, at a point afterwards known as Midway.

Other settlements on the same river at about this time were made by John Jones, who came out in the same vessel with Iiams.

Humphrey Jackson, John and Frederick H. Rankin also settled about twelve miles above Lynch's. The only settlers on Buffalo Bayou previous to 1824, so far as known, were the Vinces—William, Allen, Robert, Richard and John,—all young men, Ezekiel Thomas, and Moses A. Callahan.

It is said that the earliest settlement in the immediate neighborhood of what afterwards became the City of Houston was made in 1822, by a Mrs. Wilkin, her two daughters, and a son-in-law, Dr. Phelps. They lived for a short time on a tract of land that was afterward known to the early citizens of Houston as Frost-town.

These settlements were made independently of any colonial grant, as Austin had not at that time perfected his arrangements with the Government for colonizing. So soon as this was done, most of these early settlers received, at the hands of his representative, grants for the land occupied by them, and their names were officially entered on the records of Austin's colony.

In 1824, Stephen F. Austin accompanied by his secretary, Sam M. Williams, and the Commissioner, Baron de Bastrop, came by appointment to the house of William Scott, who a short time before had bought out the improvements of John D. Taylor on the San Jacinto River. The settlers assembled from far and near to receive their titles to lands. The work of issuing titles, which was begun in July, 1824, by Baron de Bastrop, had not been completed when he was called away. By August 24 he had issued two hundred and seventy-two titles. The work remained unfinished until 1827, when Gaspar Flores was appointed commissioner, and gave deeds to the remaining families of "The Old Three Hundred." "There was no provision in the law for granting land to men without families. These were joined in groups of two or three and each group constituted a legal family."

Those in Harris County who received titles at this time (1824) and located their land in this county were:

John Austin, William Bloodgood, Enoch Brinson, John Brown, Moses A. Callihan, David Carpenter, John Cooke, John Dickinson, Thos. Earle, David Harris, John R. Harris, William Harris, William J. Harris, Johnson Hunter, Humphrey Jackson, Nathaniel Lynch, Arthur McCormick, Luke Moore, Frederick H. Rankin, William Scott, Christian Smith, James Strange, John D. Taylor, Ezekiel Thomas, Richard Vince, Robert Vince, William Vince, Amy White, Reuben White and William Whitlock.² Patrick Brias received his in 1827.

There seem to have been only about thirty original grants made in Harris County at this time, but there were several settlers in the county who located their lands in other counties embraced within Austin's first colonial grant, and the lands of a few located in two counties, which adjoined each other. Besides the settlers who received land titles there were others, members of the same families, who should be mentioned. For instance, Page Bellew, the father-in-law of William Bloodgood; Charles C. Givens and Presley Gill, who immigrated with William Scott, and Dr. Knuckles, who afterwards married one of Scott's daughters. Another of his daughters was married about 1826 to Sam M. Williams. Thomas Bell, who with his wife and two children had settled just above the mouth of Cedar Bayou, sold out his improvements to Scott, and the land was granted to Scott.

Arthur McCormick immigrated in 1824, and settled on the south bank of the San Jacinto River below Lynchburg, adjoining the settlement of Enoch Brinson. His headright league became noted as the ground on which the battle of San Jacinto was fought, twelve years after he had located his home there. He, together with his wife and two sons, John and Michael, occupied this land as long as they lived.

Reuben White and his four brothers, Jesse, George, Henry and William, all came in 1824 and settled on the San Jacinto about six miles above Lynch's. James Dunman landed at Lynchburg in

²These names are obtained from Lester G. Bugbee's "The Old Three Hundred," in *THE QUARTERLY*, I, 108-117.

the same year and settled on the west side of Cedar Bayou, and as late as 1876 was still living a few miles above this point.³

The bay shore offered most pleasing locations, and were among the earliest to be improved as homes. Among these was the Edwards place at Edwards Point, and that of Ritson Morris near the mouth of Clear Creek on Galveston Bay, which were settled as early as 1825.⁴ "In 1828 or 29 Philip Singleton settled on the north bank of Buffalo Bayou between the mouth of Old River and Carpenter's Bayou, on a hill nearly opposite where the Texian army camped the night before the battle of San Jacinto, and built a small log house afterward covered with plank, which is mentioned here because it is the first house in the county of which we have any account which was covered with shingles and had glass window sashes. . . . Singleton afterward sold it to, and it became the home of Lorenzo de Zavala, the distinguished Mexican refugee and Texian patriot."

"Concerning the settlement of the Spring Creek country not so much is known. Sam McCurley was living there on the league of land granted to him, a few miles from where Hockley now stands, as early as 1829. The Texian army camped there on the retreat to San Jacinto, April 7, 1836. Abraham Roberts lived further down the creek on his headright league."⁵

About 1839 or 40 David Huffman started the Huffman settlement, and in 1876 he was still living there in the midst of his children and grandchildren.⁶ The place is now designated on the county map as the town of Huffman.

John Richardson Harris, the first of the name to emigrate to Texas, had made the acquaintance of Moses Austin while living with his family at Saint Genevieve, Missouri, in 1819-21. He agreed to join the colony, should Austin's plan for obtaining the necessary concessions from the Mexican government be perfected. He came to Texas in 1822 or 1823 and selected his land location at the junction of Buffalo Bayou and Bray's Bayou, which he considered the head of navigation. In 1824 he received his title to 4428 acres at this point. A letter from John R. Harris, among

³*Burke's Texas Almanac*, 1879, p. 88.

⁴*Ibid.*, 78.

⁵*Ibid.*, 79-80.

⁶*Ibid.*, 88.

the papers of Stephen F. Austin, dated September 15, 1825, shows that he was at that time well established and in a position to supply Austin with a sloop or schooner of light draft. After mentioning other boats which were unavailable on account of being in bad condition, he offers to hire the sloop *Mexican*, recently purchased by him, to furnish a good master and crew, provisions, etc., and keep everything in repair for a monthly payment of one hundred and thirty-five dollars. In 1826 he laid off the town of Harrisburg, which became an important depot for supplies. The arrivals of his schooners running between this point and New Orleans were events eagerly awaited by the colonists. In 1827 he was joined by his brother David, who was captain of one of the vessels, and his services are recorded in the history of that time. At a later date two other brothers, William Plunket and Samuel, came out. By the year 1829 John Richardson Harris was not only the founder of a town and the owner of a large stock of merchandise, with ships on the sea, but he had also built a steam sawmill, at the junction of Buffalo and Bray's Bayous. In the summer of this year he sailed for New Orleans on the schooner *Rights of Man*, owned by himself and brother, to procure a piece of machinery for completing the mill, when he was taken sick with yellow fever and died there, August 21.⁷ In after years, when Texas had become an independent republic, one of its first counties was named in his honor, and retains his name at the present day.⁸

"The fatality of yellow fever this season in New Orleans has deprived this colony of one of its citizens, who for the enterprise which characterized him, was not only a very useful and important member of this young community, but one to whom it is indebted for the undertaking of a very valuable and considerable branch of mechanical industry.

"In the death of Mr. John R. Harris, the colony has lost an enterprising citizen, and his friends have been bereaved of one whose loss will not be easily replaced. He died on Friday evening, the 21st of August last, in that city after five days illness." From the second number of the *Texas Gazette* (Saturday, October 3, 1829) edited and published at San Felipe de Austin by Goodwin Brown Cotton. The copy from which this is taken is owned by Mrs. Mila Morris of Houston.

⁸Family tradition says that John R. Harris heard causes, or complaints, which from time to time arose among the settlers, seated under a magnificent magnolia tree, which stood on the point of land where Buffalo Bayou receives the waters of Bray's Bayou and is now occupied by Weld and Neville's Compress and warehouse. His first residence was on this point, then a most picturesque spot, and his sawmill on the opposite bank of Bray's Bayou. The store and first settlements were in this vicinity and southward down Buffalo Bayou to a point where the Bayou makes a sharp curve. This sawmill site was used for a sawmill

The death of John Harris was followed by an administration upon his estate, and subsequently by a lawsuit on the part of his heirs against the administrator and against Harris and Wilson, which kept his estate in the courts until 1838, when it was finally settled by compromise. This litigation more than anything else prevented the location of the seat of the new Texas government at Harrisburg in 1836, at the time when this honor was bestowed upon Houston. The situation of Harrisburg at the head of navigation on Buffalo Bayou made it by far the better site for a city, especially at a period when water transportation was without a rival.⁹

by his brothers, Wm. P. and David Harris, and Robert Wilson, at the time of the Texas Revolution, and afterwards by his sons, DeWitt Clinton, Lewis Birdsall, and John Birdsall Harris, at different times up to 1867, and the ground is still owned by his granddaughter.

⁹As original business documents of that early period are rare, the following from the papers of John R. Harris in my possession is copied in full, as probably the first cotton contract of any magnitude in Texas:

"The following contract is this day made and agreed to by the parties hereunto subscribed (to wit), Jared E. Groce of the first part, and John R. Harris and Zeno Phillips of the other part. The said Jared E. Groce, promises to deliver to the parties of the second part on application, all the cotton he has by him at the time, say from ninety to one hundred bails, at ten dollars and twenty-five cents per hundred weight, for the following consideration and payments, (towit), the said John R. transfers to the said Jared E. nine hundred and sixty-five dollars and 30 $\frac{1}{4}$ in final payments on W. S. Hall, to pay to said Groce, one thousand dollars in Bank bills of the United States bank, or its branches, on or before the first day of June next or sooner, should a return be made sooner from the sales of said cotton.

"The balance of the price of the cotton is to be paid on the 10th day of January, 1830, in Mexican Eagle Dollars or its equivalent in other money; for the payment of which the parties of the second part will bind themselves in a promissory note so soon as the weights are ascertained.

"March 27th, 1829. At the request of Jared E. Groce, party to this instrument, I signed it.

"Samuel M. Williams

"John R. Harris

"Zeno Phillips

"In the town of Austin, this 27th March 1829, I, Joseph White, Constitutional Alcalde of this Jurisdiction, do certify that the foregoing instrument of contract was made [two words torn] parties in my presence and executed by them before me, Jared E. Groce requesting Samuel M. Williams to sign it for him on account of physical inability to write, his arm being crippled. In witness of which I sign it with two assisting witnesses day and date aforesaid.

"J. White,

"Ass't Witness—Ira Ingram

"Ass't Witness—H. H. League"

In the inventory of "debts, money, merchandise and property real and

In the list of merchandise comprising a part of the inventory of goods in the store at Harrisburg, there is an assortment such as is usually to be found in a general country store. Along with medicines, hardware, saddlery, candles, candlesticks, candle snuff-

personal of John R. Harris filed at San Felipe de Austin, October 2nd, 1829," a copy of which is in my possession, were the names of a great many colonists, carried on his books, with whom he had transacted business at Harrisburg and vicinity, and also at Bell's Landing, the most important trading point on the Brazos river. They are made a part of this record merely to show the extent of the business carried on by him at this early date in Texas colonial history.

Names of those who traded at Harrisburg and neighborhood were as follows: Samuel C. Hiram, James Knight, Luke Moore, P. Singleton, Moses Shipman, Stephen Nicholson, James B. Bailey, Elijah Roark, R. Hicks, H. L. Shropshire, A. J. James, Silas Jones, Michael Young, Jonathan Scott, James Standeford, Carey D. Gary, William Stafford, Thomas Sherman, C. Nash, Dan G. Bayles, John D. Taylor, H. Chevy, Knight and White, William Proctor, Anson Taylor, C. Dyer, M. Bundwich, Jesse Thompson, William J. Harris, R. M. Cartwright, T. Newman, J. Shaw, Thomas Earle, George Brown, Elijah Allcorn, Allan Martin, John Allcorn, William Andrus, Miles Allen, Lewis Boatwright, Daniel E. Bagly, Enoch Brunson, William Brooks, Francis Biggum, John Bird, Jesse H. Cartwright, Cartwright and Laughlin, Phillip Coonse, Lemuel Crawford, Peter D. Bufield, William D. Dunlap, Clement Dyer, Archalam Dodson, William Eaton, John Fank, Isaac Foster, Graves Fulshear, Alexander Farmer, Philo Fairchild, John Gates, Andrew Greg, Gannes Jesus, William J. John Hall, George B. Hall, David Harris, John Hamlin, Humphrey Jackson, Tabitha Hams, Frances W. Johnson, Samuel Isaacs, John Jones, John Horse Jones, Frederick Jackson, John Hams, John Jones (workman), John Kelly, Elizabeth Kuykendall, Hugh Kilgore, Nathaniel Lynch, William Laughlin, James Lynch, Joseph Lial, Rice S. Murray, Margaret McCormack, James McLaughlin, John McNutt, John Munroe, Samuel B. Miller, James Mars, Henry W. Munson, John Montgomery, Captain Micks, Colman Nash, Stephen Nicholson, Phelin Newman, Daniel Norton, John Owen, William Pettus, J. C. Peyton, Joshua Parker, Andrew Roach, John Randon, Andrew Robinson, Benjamin Reader, Smith Robinson, Leo Roark, William J. Russell, William Scott, Charles M. Smith, Moses Shipman, Daniel Shipman, William Swail, Joseph Sular, Andrew Smith, Ione Shaw, Ezekiel Thomas, Lewis Thompson, Anson Taylor, Jacob Thomas, Henry Tisherwester, David Sally, William Troboz, Joseph Urban, Jesse Vance, William & Allen Vince, Richard Vince, Walter C. White, White and Harris, S. M. Williams, John W. Williamson, William K. Wilson, Samuel Whitting, John A. Williams, George White, Wiley B. White, Matilda Wilbourn, Charles C. P. Welsh.

Names of those who traded at Bell's Landing, on the Brazos river, near West Columbia: Henry Williams, Robert Brotherton, Thomas Slaughter, William Roe, David Hamilton, Francis F. Wells, William Barrett, Saml Chann, William C. Carson, William Robertson, Geo. Robinson, I. C. Parton, R. H. Williams, P. Andrew, P. Burnett, John Jones, S. Williams, M. B. Nickols, Saml. Moore, Jas. Ray, N. Smithwick, Green DeWitt, Freeman George, Nicholas George, James Stringfellow, Alexander Calvert, Josiah H. Bell, James B. Bailey, Zeno Phillips, Solomon Williams, Jefferson George, Robert H. Williams, Jesse Thompson, Joseph H. Polley, William Selkirk, Noah Smithwick, Martin Varner, William Staf-

ers, cottoncards, and crockery were listed Murray's Grammars, Walker's Dictionaries, slate pencils and lead pencils, gilt buttons, lace, silk vests, flour, sugar, salt, and ordinary groceries.¹⁰

ford, John Alley, William, John, and George Hall, Chas. Cavenia, Joseph Sampierre, Saml. Low, William Chase, James Danly, Saml May, May & Low, David McCormack, Mrs. Alsbury, Isaac House, Saml. C. Chance, Lawrence Ramey, John C. Keller, Jas. N. Phillips, Cornelius Smith, Thomas J. Pryor, G. B. Jameson, H. Chrisman, Smith Bailey, Henry Jones, Daniel Shipman, Thomas Newman, Knight & White, Silvester Bowin, L. Smither, Harrison Williams, James Pevehouse, Thomas Barnett, James Smith, John B. McNutt, Solomon Bowlin, Geo. S. Penticost, Geo. Thrasher, Edward Robertson, Alexander E. Hodge, Henry E. Brown, John McNeal, Freeman George, A. T. Knauff, Smith Robertson, John Lawrence, James Bailey, Samuel Pharr, Walter C. White, Mrs. Brady, George Huff, O. H. Stout, John Austin, Ephraim Fuqua, John McLaren, James Moore, John Bradley, Wm. Morton, Arche Hodge, William Barnett, Allan Larison, P. Andrew, Henry Williams, James Norton, James Hinds, T. Farmer, John Gates, Hinton Cartes, Wiley Martin, Jesse Vance, Thos. B. Bell, Joseph Mims, I. C. Peyton, Robert Spears, Jesse H. Cartwright, Nichols McNutt, W. D. C. Hall, William Barrett, Peter Duffield, W. S. Hall, Eli Mitchell, George W. Brown, John W. Moore, White & Harris, Israel Waters, William K. Wilson, William Scate, Capt. Wm. Roberts, George Williams, Mrs. Powell, Francis M. Johnson, Wm. Vince, Wm. J. Russell, T. K. Murrey, Mathew Roberts, Judge Tunnell, David Carpenter, T. Alsbury, Job. Williams, Philo Fairchild, Thomas Slaughter, Saml. Highsmith, James Thompson, Andrew Robinson, Jas. Knight, Jas. W. Woodson, Saml. Kenneda, Wm. Kingston, O. Jones, Richardson & Davis, Isaac Vandoren, Border, Saml. O. Pettus, A. Kimble.

¹⁰The following items from the *Texas Gazette* cast some light on the economic development of the county: "We take pleasure in announcing to the inhabitants of Austin's colony, that the entire Machinery for the Steam Saw Mill at Harrisburg has arrived in Trinity Bay from New Orleans, in the schooner 'Ann Elizabeth.'

"Much credit is due Mr. David Harris, brother of, and administrator of the estate of the late John R. Harris, deceased, the original proprietor of the Mill, for his perseverance in furthering the undertaking, and we hope ere long of hearing of its being in active operation, when our citizens will be able to supply themselves with building timber at a low rate, and at the same time the present proprietors will be amply remunerated for their trouble and expense." March 13, 1830.

"June 5, 1830, a postoffice has been established at Brazoria, and we understand that another will be established at Harrisburg in a short time."

July 22, 1830. "The Steam Saw Mill at Harrisburg of Messrs. Wilson and Harris is in operation and works very well."

July 31, 1830: "Sloop Alabama, Captain Lovejoy, arrived at Harrisburg from New Orleans, will leave for Matamoras with cargo of plank from the saw mill."

On July 10th, 1830, an advertisement states that "Enoch Brinson of San Jacinto Bay has opened a house of private entertainment, also a blacksmith shop." And on October 3, the same years appears the card of:

"G. B. Jameson, Attorney and Counselor at Law—San Felipe de Austin." G. B. Jameson afterwards became a soldier of the Revolution, and perished in the Alamo after having sent out to General Houston important communications and plans of that fortress.

About the year 1831, David G. Burnet, one of the most important figures in Texas history, after a short absence returned, bringing with him a boiler and steam engine, which he located at Lynchburg. In this enterprise were associated with him Norman Hurd and Gilbert Brooks, who came out with the machinery and assisted in building the mill. The mill stood until 1845, when it was destroyed by fire. Judge Burnet's home was only a few miles from Lynchburg, and an arm of the bay in that vicinity is called Burnet's Bay.

The colonists of Harrisburg municipality increased in numbers and prosperity; farms were opened along the streams, supplies were brought by boats from New Orleans, and peace and contentment reigned. Its citizens played an important part in all the affairs of the colony.

From the reminiscences of Mrs. Dilue Harris I have culled the following brief statements regarding citizens at Harrisburg.¹¹

"May 1, 1833, Harrisburg had been settled several years. It was settled by four brothers, John Harris, the oldest, had died some years before. His family were living in New York. The other brothers were David Harris, who had a wife and two children, a daughter named Sarah,¹² and William, and Sam Harris. Other people living there were Robert Wilson, wife and two sons; Albert Gallatin and son; Mr. Hiram, wife and two daughters, Sophronia and Susan; Mr. Lytle, wife and daughter; Mr. Brewster and son; Mr. Evans and wife; Dr. Wright and wife; Dr. Gallagher; Mr. Peoples and wife; Mr. Farmer and family; Mr. Mansfield and five negroes; one negro man, Joe, servant of W. B. Travis; John W. Moore, the Mexican Alcalde. The young men were Messrs. Richardson, Dodson, Wilcox, Hoffman, and Lucian Hopson. The boys were James Brewster, and John, George, and Isaac Iiams, stepsons of Dave Harris. There was also a Mr. Ray. There was a steam sawmill at the mouth of Bray's Bayou; it belonged to Robert

¹¹The reminiscences of Mrs. Dilue Harris are based largely upon a journal kept by her father, Dr. P. W. Rose, and may be considered a reliable source of information as to settlers known to her family, who lived at Harrisburg or had their homes near enough to make that town their trading place and social center from April 30, 1833, to April, 1836, when the Mexicans burned the town and the settlements were broken up. See *THE QUARTERLY*, 88-126, 155-172.

¹²Sarah was a stepdaughter of David Harris, he having married the widow of John Iiams, who left three sons and one daughter.

Wilson and W. P. Harris. Mr. Hoffman was engineer." Mr. Choate is mentioned as living "below the town on Vince's Bayou. He had five daughters. He was the most popular man in Texas." Thomas Earl lived below the town on Buffalo Bayou. He had a wife, two sons and four daughters, all grown. "The Vince brothers, Allen, William, Robert, and Richard, lived at the bridge on Vince's Bayou. Allen Vince was a widower. He had two sons. Their sister, Miss Susan, kept house for them. Mr. Bronson and wife lived at the mouth of Buffalo Bayou." A Mr. Doby is also mentioned as living in this neighborhood.

May, 1834—After mentioning the engagement at Harrisburg of Mr. David Henson, as a school teacher for the settlement, near Oyster Creek, (Stafford's Point), the names of some immigrants who arrived by schooner from New Orleans are given as follows from memory: Clinton Harris, son of John R. Harris, deceased; Mr. Mann, wife, and two stepsons, Flournoy Hunt; and Sam Allen; Mr. Pruitt and two daughters; and Mr. Kokernut and wife, young married people, were among them. "Mr. Kokernut was German, his wife French."

After leaving the Cartwright farm near Harrisburg, Dr. Rose moved his family to Stafford's Point, where under date of January 1, 1834, their "four near neighbors, Messrs. West, Bell, William Neal, and C. C. Dyer," are mentioned, and the statement made that "Neal and Dyer married sisters, the daughters of Mr. Stafford, and there were two brothers, Harvey and Adam Stafford, both grown." There is also mention of the family of Mrs. Roark, widow of Elijah Roark, who was murdered by Indians near San Antonio in 1829, as neighbors at Stafford's Point. The children of these families, besides four young men, Leo and Jackson Roark, Mr. Calders and Harvey Stafford, made up the school. Stafford's Point was about fifteen miles from Harrisburg, where there were stores, a sawmill, a blacksmith's shop, a shoemaker's shop, with other accessories of a town, and thither the settlers usually went to celebrate July 4th, with a barbecue and ball. These occasions drew all together for a big public frolic—Mr. Choate played the violin, and his services were much in demand at Harrisburg. DeWitt Clinton, son of John R. Harris, deceased, had come out with his mother, Mrs. Jane Harris in 1833, and opened a store, and the Indians came here to sell their buffalo, bear, and deer skins,

blankets and beadwork. In the winter of 1835, two or three hundred of them, men, women and children from the Falls of the Brazos (Waco), camped in the neighborhood, and remained until they had sold their wares. At this time, the Kleberg family (Germans) were at Harrisburg, and Mrs. Rosa Kleberg, but recently arrived from Germany, had an experience, which she related to me a few years before her death. The family had rented a house and were moving into it, each carrying a portion of the baggage. Mrs. Kleberg was alone and had just thrown down a big bundle, when a tall half-naked Indian, the first she had ever seen, approached. Seeing a loaf of bread on a table in the middle of the room, he advanced, deposited on the table two big venison hams, which had been slung over his shoulders, picked up the bread, called out "swap!" "swap!" and stalked away. Mrs. Kleberg having retreated behind the table, stood in speechless astonishment, overjoyed that his one-sided bargain had been followed by so speedy a departure.

In April, 1835, the Harris Reminiscences note the arrival of several English families of immigrants, among them the Pages and Adkinses; Mrs. Brown, a Scotchwoman, with a son and daughter, was at Allen Vince's place at the time of the "Runaway Scrape." This event, as its title indicates, created a wide dispersion of former residents in this section; the homes of most of them were destroyed, and not a few of them returned to the United States, or sought homes in other sections of Texas.

The first account of a school in this municipality, although it is highly probable that there had been schools taught before at Harrisburg, is contained in Mrs. Harriss's reminiscences. The diary, dated May, 1834, makes mention of the engagement at Harrisburg of David Henson, as a teacher for the settlement near Oyster Creek (Stafford's Point). The school house, built of logs, was located about halfway between the homes of Dr. Rose and Mr. Dyer. It had been previously used as a blacksmith shop, was without windows, had an open doorway, and the floor was of puncheons. The teacher, an Irishman, was capable, but school books were scarce, and the multiplication table inscribed on a pasteboard bandbox belonging to Mrs. Rose, furnished an arithmetic lesson. The school did well until the arrest of D. W. C. Harris of Harrisburg, and Andrew Briscoe at Anahuac in June,

1835, threw the neighborhood into such a state of excitement that it was impossible to continue its session.

It was not until July of the following year that the settlers having returned to their homes (after the battle of San Jacinto), engaged a teacher named Bennet, also an Irishman, to reopen this school, with an attendance of eight pupils, children of the same families; but the four young men were no longer numbered among the pupils. This school lasted only about six months, when the teacher returned to the United States. The country was too much disturbed by rumors of invasion for the establishment of any school at this time.

The first teachers in Houston, according to Mrs. Dilue Harris, who was a pupil, were Mrs. Sawyer, who married a Mr. Lockhart, and Mr. Hambleton, whose school she attended in 1838. A Mrs. Robertson was also a teacher at Houston in the early forties.

II. HARRIS COUNTY IN THE REVOLUTION

The large share of the citizens of Harris County in winning the independence of Texas from Mexico has never been announced with a blare of trumpets; the facts have simply been recorded in history.

That the citizens of Harris County were important factors in the early revolutionary period, will be shown in the following pages.

In the summer of 1829 about thirty citizens met at Harrisburg and organized for an expedition against a predatory band of Indians. They marched to Groce's, a place of rendezvous, where, uniting with others, about eighty in number, under Colonel John Nail, they marched to within twelve miles of the Waco village, encountered and defeated about two hundred Indians, and returned home with the loss of only two men.

When the first trouble with Mexicans at Anahuac occurred in 1832, many of the citizens of Harrisburg marched under Colonel Frank Johnson to the aid of the Texans at Anahuac.

From the beginning of American colonization, in this part of Texas, there had been considerable trade between the settlement on the Trinity, called by the Mexicans, Anahuac, and Harrisburg, the chief trading point between the mouth of the Trinity, and Bell's landing on the Brazos River; it was natural that any interference with this right should be strongly resented and resisted by the citizens of both towns, and the occasion which arose early in 1835 proved they were determined to stand together in defense of that right.

In 1835 Anahuac was in the heyday of its prosperity. There had been no attempt to collect custom dues since 1832, but a change of policy on the part of the Mexican government caused the re-establishment of a collector of customs, and in the latter part of January, 1835, a body of Mexican soldiers under command of Antonio Tenorio was sent to enforce the collection of duties on goods received at the port, which was then known as the port of Galveston.

Opposition to the contemplated infringement of the license which the colonists had enjoyed since 1832 was not slow in manifesting itself among the citizens, especially as they claimed that such dues were not collected at any other point in Texas. Captain Tenorio soon found himself surrounded with difficulties. In response to his letter of complaint to the government, he, on May 1, received a reinforcement of men, together with guns and flints, and money for the payment of his garrison, several of whom had already deserted to the Texas colonists.

In the meantime, lumber which had been sent for the purpose of rebuilding Fort Davis had been burned on the night of the 3d, and upon his reporting this outrage to the commissary of police at Anahuac, as the work of one Mores, no steps were taken to arrest the supposed offender. In fact, the citizens of Anahuac had so little relish for the establishment of a Mexican garrison among them that they resolutely determined to resist the exactions of its officers in every particular. To carry out this determination in the most forcible manner, they held a public meeting on May 4, of which I submit the following report, clipped from the *Texas Republican* of August 8, 1835, published at Columbia.

ANAHUAC, May 4, 1835.

A respectable number of citizens of this jurisdiction convened this day at the house of Benjamin Freeman of this place, according to previous notice. Gen. William Hardin was called to the chair, and I. N. Moreland was appointed Secretary. The object of the meeting was explained by Mr. A. Briscoe who presented the following resolutions and preamble, which, after a short discussion, were unanimously adopted.

Whereas, There is no custom house organized in any part of the colonies of Texas, nor any duty upon importation collected, and whereas, duties have been collected here for the last three months, this being the poorest part of a poor country, there being an insufficiency of money to pay the duties on what importations have been made, trade every day decreasing, therefore,

Resolved, That the proceedings of the individuals claiming to be custom house officers at this place have neither been reasonable, just, or regularly legal, it being unreasonable and unjust to demand the whole duties of one small settlement, while the whole coast, and border besides, is free and open; and illegal, because they have never presented themselves or their credentials to the civil authorities for their recognition, nor have the said authori-

ties been notified by the Government that any such officers have been appointed for this port.

Resolved, That the country, as we believe, is not able to pay the regular duties according to the regulations of the general tariff; therefore, it is resolved that we send to the political chief of this department, by him to be forwarded to the Governor of the State, the foregoing memorial expressive of our opinion with regard to the situation of this part of the country, and its inability to comply with the tariff law, and praying him to intercede with the General Government for an exemption for these colonies for five or six years, from the restrictions upon commerce imposed by the general tariff.

Resolved, That until the object of the preceding resolution can be carried into effect, no duties should be collected in this port unless the collection is also equally enforced throughout the province; nor until then will we pay any duties on importations into this port.

Resolved, That these proceedings be signed by the chairman and secretary, and that copies be forwarded to the Judge of the First Instance, to the editor of the *Texas Republican*, to Don Jose Gonzales and to the political chief of the department, to be sent by him to the Governor.

I. N. MORELAND.

Attached to these resolutions and also published, was an address to the Governor of the Free State of Coahuila and Texas, and a letter from Andrew Briscoe, dated July 11, to the editor of the *Texas Republican*, further justifying the action thus taken by him and his fellow citizens. The people were divided in their view as to the advisability of resistance, and the Columbia settlement held a meeting expressing strong disapproval of the course pursued at the Anahuac meeting.

Moreover, immediately after the meeting at Anahuac, General Hardin, the chairman, left for the United States before copies could be made out and signed by him, so that any regular proceedings were blocked by this action of the chairman. These circumstances and the sharp criticism of the Columbia meeting, are the subject matter of the letter of Andrew Briscoe.

The lines were now beginning to be firmly drawn between the opposition and the non-resisting or peace party, and for good and sufficient reasons the Anahuac people, with Mr. Briscoe at their head, having made their resolutions to resist the unlawful collection of duties, stood firmly by them.

Of Andrew Briscoe's willingness to prove his stern purpose by his acts, he gave ample proof a few weeks afterward, when he took an important step toward precipitating the long threatening revolution of Texas against Mexico. The story of his adventure, the first act of resistance to Mexican authority in 1835, connects the towns of Anahuac and Harrisburg very closely in history.

From his home in Harrisburg, on June 10, DeWitt Clinton Harris, a youth about eighteen years old, went by sail boat to Anahuac to purchase goods of Mr. Briscoe. The collector refused to allow the goods bought by him to be removed without a permit from the custom house, for which, of course, a certain sum of money was demanded. With this demand, both Briscoe and Harris refused to comply. A guard was accordingly placed around the store on the night of the 12th, to prevent any attempt at moving the goods. While matters were in this state, a young man came into the store and asked for a goods box to put ballast in, which was given him, and he started to the beach rolling a wheelbarrow containing the box, which was filled with brickbats. Harris remarked to Briscoe that they could now ascertain whether the Mexicans would really prevent him from moving his goods. In a few minutes they heard the young man with the wheelbarrow calling for Mr. Smith, the interpreter; they both went out and found he had been stopped by the guard. When the interpreter came up and informed the Mexican guard of the contents of the box, they seemed satisfied, and allowed it to be taken to the beach and put on board the boat. But when Briscoe and Harris were about returning to the store, they were set upon by ten or twelve Mexican soldiers and ordered to stand, while a young man named William Smith, who was coming down the hill towards them, was shot down.

They were made prisoners and confined in the calaboose. Harris, being a mere youth, and not an arch offender, was released the next day and returned to Harrisburg, but without his goods. He immediately sent a report of the adventure to the authorities at San Felipe. On the 21st of June a public meeting was held there, and resolutions passed authorizing William B. Travis to collect a company of volunteers and eject Tenorio from the garrison at Anahuac. Friendship, as well as patriotism required Travis to act in this manner, for, as he said, "Some of his friends who

were principal citizens of the place were suffering under the despotic rule of the military." This expedition started from Harrisburg, where the sloop Ohio belonging to the Harrises, was chartered; a six-pound cannon, mounted on a pair of saw mill truck wheels, constituted its armament.

There were about twenty-five volunteers, who were probably armed. Some of them, who at first signed an agreement at San Felipe to march against the garrison reconsidered, and failed to go, but other recruits were taken up at Lynchburg and Spillman's Island. At Clopper's Point, now known as Morgan's Point, an election of officers was held, which made Travis, captain; Ritson Morris, first lieutenant, and John W. Moore was appointed orderly sergeant. Arriving within about half a mile of Anahuac, the boat grounded, a shot was fired by way of warning, and the cannon was then placed in a small boat, and they rowed ashore. The Mexicans fled to the woods, and the fort was found deserted. An interview was had with Tenorio, who agreed to sign articles of capitulation, the next morning. So, on June 30 the following terms were agreed upon: The Mexican officers pledged themselves not to take up arms against Texas, and were to be allowed to proceed to San Antonio. Twelve of the soldiers were granted the privilege of retaining their arms as a protection against Indians on the march. All the arms, sixty-four stands of muskets and bayonets, ammunition, etc., were turned over to the Texans. Mr. Briscoe was released and the Mexican custom house in Texas done away with forever.

The Mexicans and Texans returned to Harrisburg, where they arrived in time to attend a Fourth of July barbecue and ball. Captain Tenorio is said to have been a fine looking man of varied accomplishments.

He not only participated in the amusements of the barbecue, but attended the ball, where he waltzed and talked French with the handsome Mrs. Kokernot, who was a fine linguist. On the whole he was treated with civility, and some people who were there thought he acted as if he was the hero of the occasion. The truth is, he was probably only too glad to be relieved from his duties at Anahuac, and hailed his deliverers with no ill feeling. But, the action of disarming the fort was condemned by all but the most outspoken of the war party, and Travis, on his return to San

Felipe, had to bear the reaction of opinion. In a letter to the public on the subject, he was reduced to the necessity of justifying his course. I quote the closing lines of a letter which bears favorable comparison for heroic sentiment with any that he sent out from the Alamo:

I discharged what I conceived to be my duty to my country to the best of my ability. Time alone will show whether the step was correct or not. And time will show, that when this country is in danger that I will show myself as patriotic and ready to serve her as those who, to save themselves, have disavowed the act, and denounced me to the usurping military. [San Felipe, Sep. 1, 1835.]

The following letter from Travis to Briscoe, written at about the same time, gives a fair account of the state of public feeling:

SAN FELIPE, TEXAS, Aug 31, 1835.

My dear Sir:—

I have not written to you before because I was ashamed to tell what was going on. It is different now. Although the Mexican or Tory party made a tremendous effort to put us down, principle has triumphed over prejudice, passion, cowardice and knavery. All their measures have recoiled upon them, and they are routed horse and foot. The extent of their glory was to denounce us to the military at San Antonio and Matamoras, and demand our arrest. An order was accordingly issued to Ugartachea, and repeated by Cos, to arrest seven of us and send us to Bexar to be tried by martial law. This was too much for the people to bear. When they were called on by an usurping political chief to carry these orders into execution, the sacrifice was too great. Their wrath was turned against the Tories and Spanish-Americans, who now dare not to hold up their heads. The people call now loudly for a convention in which their voices shall be heard. They have become almost completely united. And now let Tories, submission men and Spanish invaders look out.

There is to be a great meeting here on the 12th of September on the subject of a convention. The Tories are dying a violent death, and their last expiring struggle will be made on that day. Therefore, I invite you to attend and hope you will do so. But I wish to see them overwhelmed. I have seen your publication. It does you credit. You have shown yourself the real white man and uncompromising patriot. Stick to the text and Texas is saved.

I have at this moment finished conversing with a Mexican just from San Antonio. He says marching orders have been given to the troops. They are to be here by the 12th or 13th of Septem-

ber to garrison this town, Tenoxtitlan, and Nacogdoches, with 200 men each; and it is concerted that 200 men shall arrive by water at Anahuac at about the same time to garrison that place. They have sworn vengeance against all engaged in the late expedition, and in that of 1832 at Anahuac and Velasco.

They calculate to take up these men with the aid of other Americans, by which time they will gradually bring in troops enough to overrun the people and keep them in vile submission. They cannot do it.

We will not submit to be garrisoned here. I hope you will not there. We shall give them hell if they come here. Keep a bright lookout to sea. Allow no pilots in the bay to assist them, and they cannot land before you have time to prepare for them. Secure all the powder and lead.

Remember that war is not to be waged without means. Let us be men and Texas will triumph. I know you can be relied on; therefore, I exhort you to be active in preparing the minds of men for the scenes that are to be enacted.

News from New Orleans that we will be liberally aided with men, money, and arms, has arrived. Already we have five pieces of cannon, 100 kegs of powder, and lead and shot to correspond, landed in Matagorda and sent from New Orleans.

Come over if you can on the 12th. My respects to Wilcox and others. Please write soon.

Your Friend,

W. B. TRAVIS.

As is well known Travis was one of the leaders of the war party, and the authorities at Columbia were urged by General Cos to secure "the apprehension of that ungrateful and bad citizen, W. B. Travis."

He, who at that time was blamed by some of his own people for precipitating the revolution, and called by his enemies, "an ungrateful and bad citizen," has earned a fame which shall give him through all the ages the noble title of hero, the birthright of such a determined nature.

The first act of the revolution of 1835, in which Andrew Briscoe and DeWitt Clinton Harris took the initial steps, and were ably seconded by Travis and others, was of the same character, and marked by the same determination, as the closing act of Wm. B. Travis, at the Alamo. They were the acts of men, who were determined to live in the enjoyment of constitutional rights, or die in defense of them.

At Anahuac, the Mexicans were few in numbers, badly scared, and yielded without firing a gun.

Another letter from Travis at the same time gives important evidence as to the state of public opinion two months after the attack on Anahuac.¹

SAN FELIPE, August 31st, 1835.

Dear Sir:—

Huzza for Texas! Huzza for Liberty, and the rights of man!

My friend, when I returned from your place, I found the tories and cowards, making a strong effort, and for a time they were but too successful. I was, therefore, disgusted and wrote you but little, as I had nothing to communicate but what I was ashamed of, as a free man and a friend of my country. It is different now, thank God! principle has triumphed over prejudice, passion, cowardice and slavery. Texas is herself again. The people in the whole upper country are unanimous for a convention in which the voice of the people will be freely expressed. Every part of the country has pronounced against the dictation and humiliating course of the tories and friends of the Spaniards. The pitiful faction which has dominated here has expired, and those who supported the doctrine of abject submission to the military, have sunk too low, ever to rise again.

Principle was gradually working out this glorious end, and preparing the way for the march of freedom when the order came for my being arrested and given up to the military to be shot, for engaging in the expedition to Anahuac, etc. That was too much for the people to bear; it was too great a sacrifice for them to make, and they unanimously exclaimed against this order and its supporters. The devil has shown his cloven foot, and his lies will be believed no longer.

¹Travis to J. W. Moore, in *The Morning Star*, Houston, Saturday, March 14, 1840. The editor, D. H. Fitch, says: "The following letter from the pen of the immortal Travis will be read with peculiar interest. Every line that has been penned by that noblest of Texian patriots will ever command the admiration and respect of Texians. Who can read these lines and not feel his bosom glow with the fire of liberty that animated their illustrious author? This letter was addressed to Major J. W. Moore, and the original is now in his possession; it will some day become a valuable autograph. Colonel Moore was the first who raised the one-starred banner among the brave 'Harrisburgers,' to whom Travis alludes, and has on many occasions by his bravery and devotion to the cause of freedom, proved himself worthy of his noble correspondent.

"The complimentary remarks of Travis, relative to the citizens of 'Harrisburg county,' would apply as well, even now, as at any previous period, for there has never been a time when the citizens of this district were not the foremost to rush to the defense of the frontiers, or to contribute even to the last dollar, when the country required a pecuniary sacrifice."

A tremendous reaction has taken place, and the tories are almost as bad off as they were in 1832. "Heaven's hangman will lash the rascals round the world."

The word now is, a convention of all Texas, to declare our sentiments, and to prepare for defense, if necessary.

The Harrisburgers want no stimulus to patriotism. They have always been the foremost in favor of liberal republican principle.

They have always been on one side; the right side. They have never barked up the wrong tree, and I hope, never will. God grant that all Texas may stand as firm as Harrisburg in the "hour that will try men's souls."

I feel the triumph we have gained, and I glory in it. Let Texas stand firm and be true to herself, and we have nothing to fear. We have many rumors afloat here. There is no doubt of one thing, they mean to flood the country with troops, and garrison the towns.

San Felipe, Nacogdoches, and all the ports, are to be garrisoned in a month or two. They are determined to punish those engaged in the expedition of Anahuac in 1832, and in 1835 and that of Velasco, in 1832. If we submit to these things, we are slaves and deserve not the name of freeman.

We are to have a great meeting here on the 12th of September to vote for and against a Convention. The citizens of the whole jurisdiction are invited to attend. I hope you will come and bring all the Harrisburg boys you can. Those who cannot come, please get them to sign a paper similar to the one signed at Columbia, expressing their wishes for a Convention.

Tender my best respects to all the boys—tell them never fear, fortune favors the brave.

Your friend,

W. BARRET TRAVIS.

Many of the best people of Austin's colony were strongly opposed to the policy of separation from Mexico, and this attitude on their part in the beginning served to multiply the difficulties which beset the course of those who advocated independence at any cost. The following letter from the Hon. Wm. Hardin to Don Antonio Gil Hernandez, dated Liberty, July 27th, 1835, will illustrate the attitude of the peace party:

Dear Sir:

Some short time since I wrote you a few lines in which I stated that I would be down soon, and I expected to have come down before this time, but my health will not yet admit of my riding. I have understood that you wish to leave for the interior. I wish

you to make yourself easy and remain in Anahuac as I am determined to give you any assistance that you may need. If there should arrive any vessel, I wish you to inform me of it immediately, and I will furnish you with as many men as may be necessary for the collection of the duties. I am determined that no vessel shall enter without paying the duties. I understand that goods are landing at the Neches. If you wish to go there I will furnish you with men sufficient to go with you. If I had been at home and in health you would not have been without troops at Anahuac.

Very respectfully, Your Friend, Etc.

WM. HARDIN.

We certify the above to be a true copy from the original in the hands of Don Anto Gil Hernandez, Anahuac, Sept. 25, 1835.

Joseph Bryan

Adam Smith

Geo. W. Miles

A. Briscoe.²

Whether this certified copy was procured to prove Hardin's loyalty to the cause of Mexico, or his disapproval of the independence movement in Texas is not known. While it seems to prove both, at that time there were many others occupying the same political position, who afterwards gladly joined their fortunes to those of the independence party, and it is presumed that he was of this number, as one of the counties of Texas was later named in his honor.

The sentiments expressed in the foregoing letters furnish an excellent index to the general feeling of the Texans up to this time; they show how widely the views of good citizens were separated as to their proper course. But, events immediately following the affair at Anahuac, among them orders from Mexico for the arrest of Zavala, Travis and other leading citizens, drew all factions of Texans together, precipitated the organization of committees, who were authorized to adopt resolutions proclaiming the lawful rights of the people under the Constitution of 1824, and hastened the formation of military companies for the defence of those rights. When it became plain that Texans must prepare to defend their homes by force of arms, it was natural that the two chief towns of Harris County should occupy the front rank in the organization of volunteer companies, but, it is doubtful whether

²This letter is from the Andrew Briscoe papers, in the writer's possession.

any official records of the membership of these companies have been preserved. Volunteers were soon merged into the regular army, and their significance as *first volunteers* was lost sight of in the greater importance of the large military body acting under duly constituted authority. However, we are fortunate in having some details regarding the organization of two companies of volunteers,—one at Lynchburg and the other at Harrisburg.

An undated clipping in my possession from the *Galveston News* contains an account of the organization of the Lynchburg company, and of the making of the first flag in Texas bearing the Lone Star and the word "Independence." It was written by James S. McGahey, an officer of the company, who signed himself "An old Texian and an old Texas Veteran."

HEMPSTEAD, TEXAS, May 30th.

To the News:

At this time viz: September 15, 1835, the writer hereof (a Virginian by birth) was at Captain William Scott's, San Jacinto, assisting in the organization of a company, upon the Captain's proposition. . . .

Wm. Scott (a Kentuckian) was a wealthy man and patriotic to the core. He proposed to equip in full any one who would volunteer to fight for the cause of Texas, giving him a good horse, saddle, bridle, gun, accoutrements, provisions and a suit of clothes, and making his house headquarters until they were ready to march.

About thirty men organized into a company, electing William Scott Captain, Peter J. Duncan of Alabama, first Lieutenant, and James S. McGahey, second Lieutenant. One morning while their preparations were going forward, Scott said to McGahey, "Mack, I have a piece of beautiful silk, solid blue. If you'll make a staff, we'll have a flag." McGahey took the four yards of silk to Lynchburg, where a staff was made, and Mrs. Lynch sewed a piece of domestic to the silk to protect its edge from fraying, where it was attached to the staff. Charles Lanco,³ a painter by trade, by order of McGahey, painted, in the center, a large five-pointed white star. Having done this, Lanco remarked, "Well now, that looks naked, let me paint something under it. What shall it be?" McGahey replied, "put the word 'Independence,'" and it was done.

³It is probable that Charles Lanco here mentioned was one of the men, who a few months afterwards perished in the Alamo. In the roll of names on the Alamo monument at Austin, it is engraved Charles Zanco, and in some early records of these heroes it has been printed Charles Lanco of Denmark, in others, Charles Zanco.

Some men from Eastern Texas on their way to San Felipe, stopped, looked at the flag, admired it, and said, "It is just the course for Texas to take." Passing on to Harrisburg where there was another Volunteer Company, they told them of the Lynchburg flag, and its "Independence motto." Some of the men at Harrisburg denounced the display of this motto, and said "they would shoot any man who attempted to raise a flag with the word Independence on it before it had been officially declared by the proper authorities." An angry message to this effect was sent by courier to the Lynchburg Company, and a reply was returned, inviting the senders of the message to come down the next day and see the flag hoisted.

McGahey had acted without authority in the matter of the motto, and in the message to the Harrisburg Company, but, when Captain Scott was told of it, he said, "By blood, Mack, that was a little rash, but I'll sustain you in it."

The next day about noon, there came down the Bayou, two large yawl boats, each carrying eight armed men, and pulled up to the shore. Captain Scott's company was formed in line, under command of Lieutenant Duncan, between the shore and Mrs. Lynch's house, every man with a loaded gun. "Not a man got out of either boat, nor was there a word spoken by any one." McGahey set his gun against the house, stepped into the house, took the flag from a rack, returned to the center of his company, unfurled the flag, and "planted the staff with a firm stroke in the ground, on the bank of the San Jacinto, and the lone star with the magic word Independence floated proudly on the breeze. For some minutes not a word was spoken; presently the captain of one of the boats ordered his men to push away from the bank, and when out a short distance in the stream stood up, and taking off his hat, flourished it around his head, shouting, "Hurra for the Lone Star." Every man of his crew did likewise, but the other boat pulled away up stream, and departed without any demonstration of any kind whatever.⁴

The action of these two boatloads of men illustrated the feeling of the Texans in general, some full of fearless enthusiasm for

"The clipping comprising the letter of J. S. McGahey bears no year date. It is part of a collection preserved in a scrap book arranged partly in 1870, and at other times up to 1897.

James S. McGahey was born in Virginia, June, 1805. He emigrated to Texas in company with George M. Patrick (1827), and shared in almost every movement of the colonists toward the assertion and maintenance of their rights. The last twenty-five or thirty years of his life was passed in Waller county, where he resided with his family at their home near Hempstead. He died on November 27, 1885. His widow survived him a few years. Their grandson, James Darrow, lives at Houston, and a daughter, Dora, wife of G. W. McCormick, at Frenchtown, Kentucky.

resistance at any cost to the methods of tyrannical government recently adopted by Mexico, others in favor of temporizing and waiting for authoritative action. But, when was a revolutionary movement ever carried successfully forward by regular methods?

McGahey of the Lynchburg Company bore his flag on its staff to San Felipe, thence carried it in a knapsack, until after the battle of Concepción. Having been badly wounded in this engagement he was furloughed and returned home after confiding the flag for safe keeping to Thomas Bell, who had fought by his side.

The Company that was organized at Harrisburg at about the same time as the one at Lynchburg, was commanded by Captain Andrew Robinson, and its first lieutenant was Archelaus⁵ Bynum Dodson. Its membership was evidently conservative in sentiment, and the flag which was presented to it was made by the hands of the wife of its first lieutenant, to whom she had been married only a few months. This flag was made of calico, blue, red, and white, of equal sized pieces or squares. The blue was set with a single white star, next came the white, then the red, the pieces being arranged in the manner of the Mexican flag then in use in Texas.⁶

We can imagine the trepidation of the young bride as she made and presented this symbol of liberty to the company of which her husband was first lieutenant, and saw them march away to the west, scarcely daring to hope that they would ever return.

Mr. Dodson, who in 1896 was living at Alice, Texas, sent me a model of the flag as he remembered it, and wrote me that there were no ceremonies attending its presentation, nothing but a statement made by him to the company, that the single star was like Texas, alone in her opposition to the autocratic government that

⁵On the authority of the daughter of Mr. Dodson, now living at Alice, Texas, I have made the correction in the name, which has been sometimes published as *Archelam*.

⁶The flag made by Sarah Rudolph Dodson at Harrisburg is a matter of record in the *Texas Almanac* of 1861, pp. 76-77; Brown's *History of Texas*, II, 538; and the manuscript letters of A. B. Dodson in my possession. My correspondence with Archelaus Bynum Dodson in 1896, in regard to it, gave him an opportunity to correct some misconceptions with regard to the flag. This was done not only in the text of one of his letters written by his daughter, at his dictation, but by a model of the flag made by her through his direction, which placed the single white star in a *blue* field instead of a *red*, as it had been described in early publications. This correction was further emphasized by him in this way: in a newspaper clipping describing the white star in a red field, he had the word *red* crossed out, and *blue* written above it.

had been established in Mexico by Santa Anna. He said the flag was carried by Ensign James Ferguson, second lieutenant, at the head of the company, until Austin superseded John W. Moore at Gonzales⁷

Austin requested that the use of the flag be discontinued, that, if it should be taken into San Antonio, the commander there would look upon it as a revolutionary flag. So, it was not again unfurled, and was lost sight of in the after events of the war. However, after the fall of the Alamo, a flag was found in the fort, which excited the following comment from the Mexican Commander, Santa Anna. In a letter to Secretary of War Tornel, March 6, 1836, he says, "The bearer takes with him one of the flags of the enemy's battalions, captured, which shows that they came from the United States of the North."

We have seen that the two companies organized in Harris County carried flags of original design expressing the political sentiments of their respective membership, and it is equally plain that the naval flag⁸ designed by Burnet at a later date strongly symbolized the hope of the Texans, for, how simple and easy would have been the blending of its single star and thirteen stripes into the national standard of the United States. When those hopes were disappointed, and it was afterwards found advisable to contrive another emblem of a design distinctive enough *not* to be readily blended with that of any other nation, it was in Harris County that this emblem was designed and adopted. The coincidence of resemblance between the Harrisburg flag and that finally adopted for the Republic of Texas in colors, differing, as they do in method

⁷Mrs. Dodson died in Grimes county in 1848. She was the daughter of Edwin and Elizabeth Bradley who moved from Kentucky to Texas in 1822 and settled on the Brazos river in Brazoria county. They were among the first of "the old three hundred" of Austin's Colony.

⁸When the provisional government of which he was the head retreated from Washington to Harrisburg, President Burnet and others of his cabinet were at the home of Mrs. Jane Harris, and, while there, Burnet devised the naval flag for Texas, which consisted of thirteen stripes, alternate red and white, like the United States flag, with a single white star in a blue field. This flag was adopted by the congress at Columbia in the fall of 1836, and continued in use until the adoption of the national standard by the third congress of the Republic of Texas assembled at Houston December 27, 1838. The flag was approved January 25, 1839.

of arrangement only, is a graceful compliment to Mrs. Dodson, the designer of the Harrisburg flag.

There seems no room for doubt that to Harris County belongs the honor of having raised the first lone star flag in Texas. No rival claims have been established; on the contrary official investigation has disproved all other claims.⁹

Hand in hand with the organization of companies and the making of flags was linked the even more important business of legislating for the impending crisis. That the movements of the Texans were characterized by more than ordinary prudence is manifest when it is remembered that the first deliberative body expressive of deep discontent assembled in 1832, and the principles then enunciated were never lost sight of, yet, the physical manifestation of their revolutionary spirit was held in check until the most patient of patriots could no longer counsel delay.

When we review briefly the events of 1835 and 1836, so full of immediate importance to the people of Texas, and pregnant with the future extension of the limits of the United States, we look back to the first convention as the nucleus round which the people rallied and organized for the defence of their rights. It was indeed a momentous occasion, marked by a long stride and a steady advance in the right direction. The comprehensive character of the resolutions adopted by this body of men, which was in session barely six days, the reports of the several committees and the two spirited memorials addressed to the Congress of the United Mexi-

⁹In reply to the question often asked as to why Texas is called the Lone Star State, Governor C. A. Culberson, on January 29, 1898, wrote a letter which was published in the *San Antonio Express* and the *Houston Post* of January 31 of the same year. The letter deals mostly with the first use of the single star as a seal, and in regard to the flags he writes as follows: "Enterprising and dauntless characters in other states responded to the necessities of the Texans in their struggle for liberty, and among these was a Georgia battalion commanded by William Ward, who with most of his men perished in the massacre of Goliad. The command, as has unquestionably been proven by depositions in our courts, was organized November 12, 1835, at Macon, Ga., and before the 20th of that month, about which day they were at Columbus en route to Texas, Miss Troutman, of Knoxville, Ga., presented these troops with a flag of plain white silk, with a lone azure star of five points, which they afterwards carried as their banner. . . . This, however, was not the first lone star flag unfurled in our war of independence. While the exact date may be in doubt, it is, nevertheless, certain that, prior to the presentation of the flag to Ward in Georgia, Mrs. Sarah R. Dodson, of Harrisburg, Texas, presented a flag of red, white and blue, with a five-pointed white star to a company organized at that place."

can States, all show that its members were of the same temper as those who, three years and five months afterwards, formulated the declaration of Texas independence.¹⁰

According to the official journal of the first convention held on the first day of October, 1832, in the town of San Felipe de Austin, which was composed of delegates elected by the people of the different districts, the district afterwards known as Harris County was called "San Jacinto," and was represented by Archibald B. Dodson, Geo. F. Richardson, and Robert Wilson.

In the second convention held at the same place, on the first day of April, 1833, David G. Burnet bore a leading part, and his colleagues from this district were Archibald B. Dodson and Geo. F. Richardson. As chairman of a committee to draft a memorial to the Mexican Congress, Burnet prepared a paper which has been pronounced by critics versed in diplomatic literature as deserving high rank among state papers.¹¹

It is well known how futile were these well intentioned petitions of the Texas colonists; by the spring of 1835 the anarchy which reigned in the twin state, Coahuila, left the Texans virtually without government except such self-inaugurated local tribunals as they were obliged to establish. The citizens of Harrisburg municipality were even more ready now, if possible, than in former years, to unite with others in insisting upon their rights. The presence among them of the Mexican statesman Zavala (he arrived in July, 1835) inspired them with a sterner determination to combat tyranny by every lawful means. Zavala was active in urging the necessity for organizing a power "which would restore harmony, and establish uniformity in all the branches of the public administration, which would be a rallying point for the citizens, whose hearts now tremble for liberty."¹²

He was an object of suspicion to the government and spies were active in reporting to the Mexican government all of his movements.¹³

¹⁰Brown, *History of Texas*, I, 196-210.

¹¹For a copy of the memorial, see Yoakum, *History of Texas*.

¹²Speech of De Zavala on August 7, 1835, in Foote, *Texas and the Texans*, II, 83.

¹³In a letter written on July 25, 1835, these words are used: "Don Lorenzo de Zavala is now in Columbia trying to arouse the people. Have him called for and he also will be delivered up. Williams, Baker and

From the time of his advent, the people who were his neighbors became his friends, they admired his talent, his patriotism, looked up to him as a guide, and availed themselves of the first opportunity to profit by his services; so, in the sessions of the permanent council which met at San Felipe de Austin from October 11 to October 31, 1835, Harrisburg was represented by Lorenzo de Zavala and Jesse Batterson.¹⁴ In the consultation, which followed, Harrisburg was represented by Lorenzo de Zavala, C. L. Dyer, John W. Moore, and David B. McComb.

When the consultation elected a general council, which, together with the governor and lieutenant-governor was to be invested with full powers of government, William Plunkett Harris, the brother of John R. Harris, who had founded the town of Harrisburg, represented this municipality.

A law of the Legislature of Coahuila and Texas had provided for the appointment of a first and second judge for each municipality, but none had been appointed. The general council, therefore, on November 16, 1835, appointed two judges for the municipality of Harrisburg.¹⁵ They were T. H. League and Nathaniel Lynch.

The stormy sessions of the general council truly tested the merits of the movement for local self-government, and patriotism often

Johnson are now on a visit to him, and no doubt conspiring against the government. Fail not to move in this matter quickly, as now is the time." Brown, I, 302-303.

¹⁴THE QUARTERLY, VII, 260.

¹⁵On the thirtieth day of December, 1835, the general council passed an ordinance defining the boundary of the municipality of Harrisburg, which was approved by the Governor, Henry Smith. The boundary lines of the municipality of Harrisburg shall be, and hereby are declared as follows: "Beginning at the entrance of Clear Creek into Galveston Bay, running up said creek with the line of the Municipality of Brazoria, and with said line to the Brazos River; thence up said river to the upper line of a league of land granted by the Mexican Government to Isaacs; thence along said line to the Northeast corner of said league; thence northwardly to include the settlements on Spring Creek, to the Southern line of the Municipality of Washington; thence eastwardly along said line to the Municipality of Washington, and so far eastwardly as to intersect the line dividing the department of Brazos and Nacogdoches; thence southwardly along said line to Galveston Bay; thence to the place of beginning."

Section 2 of the ordinance decreed that the town of Harrisburg on the west bank of Buffalo Bayou should be the "Place for transacting the judicial and municipal business of said municipality and for deposit of the archives of the same."

trembled in dread for the outcome. Probably never before did an embryo nation survive such political discord.

On December 13, the council passed a resolution calling for a convention of delegates from each municipality of the three departments of Texas, to meet on March 1, 1836, to adopt a form of government. This resolution promised to clear the atmosphere, and gave the people hope that a new body of representatives would be able to quiet internal dissensions, and at the same time elect and install a government to cope successfully with the warlike conditions surrounding them. The rapidity with which their wishes were carried out shows that there was remarkable unanimity among the delegates assembled at Washington on the Brazos; a convention which lasted barely seventeen days, and laid the foundation for a nation.

On this occasion the municipality of Harrisburg was represented by Lorenzo de Zavala and Andrew Briscoe. This convention, which made the Declaration of Independence, and adopted a constitution for a provisional government, forming the basis for that of the Republic of Texas, elected David G. Burnet, president, and Lorenzo de Zavala, vice-president, thus giving to these citizens of the municipality of Harrisburg the highest offices within their gift.

These proceedings were the consummation of the most ardent hopes of the leading citizens of Harris County, and the decisive battle of San Jacinto, a few weeks afterward gave to Texas with a single rapid master stroke the sacred boon, which their gifted statesmen had, for years, vainly besought the Mexican government to grant. Yet, between these two important dates, when independence was declared and won, what scenes of terror and desolation had defaced the fair landscape. What generous libations had been poured upon liberty's altars, what sacrificial flames had ascended in her name! The very names "Alamo and La Bahia" spread terror throughout the land.

As the retreat of the Texan army to the eastward left the homes of the west unprotected, flight became the watchword, and the dread cry "the Mexicans are coming" echoed in the ears of the fugitives, as with almost breathless haste they sought to get in advance of the army in order to keep it between them and the dreaded foe. Tales of the "Runaway scrape"¹⁶ have been cleverly

¹⁶THE QUARTERLY, VI, 162-172; *A Comprehensive History of Texas*, II, 669-671.

told by many who were in it and of it, but attention is specially directed to those relating to Harris County experiences.

President Burnet, Vice-President Zavala and others of the cabinet of the provisional government were members of the household of Mrs. Jane Harris, widow of John R. Harris, from March 22 until about the 13th of April; a few days afterward New Washington became their rendezvous.¹⁷

The expedition to Harrisburg, under command of Santa Anna himself, for the purpose of capturing the government, and especially the vice-president, Zavala, was a failure so far as its main objects were concerned, but, inasmuch as it resulted in the entire destruction of this then important town, with its steam saw-mill, and the printing press of the *Telegraph and Texas Register*, the newspaper on which the government depended for the publication of its executive orders, it inflicted untold damage on the Texans, and greatly retarded the progress of the infant Republic.¹⁸

New Washington was the home of Colonel James Morgan, and here President Burnet narrowly escaped capture a few days after

¹⁷From *Virginia to Texas, 1835-1836*—Diary of Col. Wm. F. Gray, 143, 146, 165.

¹⁸The *Telegraph and Texas Register* published at San Felipe de Austin by Gail Borden, Jr., Thomas H. Borden and Joseph Baker, under the firm of Baker & Borden, was moved from San Felipe to Harrisburg, the latter part of March, 1836. In spite of the disturbed condition of the country, an effort was made to resume publication. On April 14, the "forms went to press," but, only a few sheets had been taken off, probably not more than half a dozen, when Santa Anna and his troops entered the town and captured the printers and press. The former were held prisoners, the latter, together with all material, was thrown into the Bayou. The editors made their escape, taking with them the few sheets which had been printed. These were of great importance, for they comprised the executive ordinance of the provisional government, at Harrisburg, the only copy which was preserved in the general destruction of that place, which speedily followed.

Mr. A. C. Gray, in his "History of the Texas Press," says: "The press was what was known as a 'Smith medium hand press,' manufactured by R. Hoe & Co., New York, and was at that time considered the best press made. It was afterwards taken out of the bayou, and set up in Houston, and the 'Morning Star' printed on it. It was in the 'Telegraph' office when that paper finally suspended in February, 1877. What became of it after that time is not known." So much for the newspaper of the Revolution, which published the official documents of the consultation, council and provisional government, up to the time, when it was violently seized and consigned to a watery grave by the minions of Santa Anna. A description of the wrecking of the type was given in an editorial contained in the first number of the second volume of the *Telegraph*, issued January 18, 1837, at Columbia.

leaving Harrisburg; he had just put off from the shore in a small boat when the General, Almonte, at the head of a squad of cavalry, dashed into the place. After pillaging the store houses, the torch was applied to the buildings, when the Mexicans received orders to march as rapidly as possible to Lynchburg hoping to intercept and cut off the passage of the Texan army, which was supposed to be retreating, by way of the ferry at that place.

I have often visited the place during the life-time of Colonel Morgan, and heard the tale of how Turner, an intelligent yellow boy belonging to Colonel Morgan, at first misled the Mexicans, by telling them that General Houston and his army had already crossed the river at Lynchburg on their march to the Trinity; also of how the Mexican pack mules were stampeded in a narrow lane, when their drivers were surprised by orders to prepare for a forced march to Lynchburg.

The battle of San Jacinto, which soon followed this counter-march of the Mexicans, is by far the most important event that ever took place in the county or the state. But, it has been so fully described by abler writers, that it would be out of place in this compendium. There are, however, some circumstances connected with it which may with propriety be mentioned. They were familiar topics of conversation among the old settlers who were living at Harrisburg and its vicinity at the time of the battle, and with whom I was associated very closely during my girlhood.

In close connection with the battle of San Jacinto, though separated from the field by eight long miles, is the noted Vince's Bridge, which has won a place in history altogether out of proportion to the size of the stream, or its strategic importance. This is, no doubt, owing to the ignorance of early writers as to the topography of the country. General Houston in his report of the battle says he "ordered the bridge on the only road communicating with the Brazos, distant eight miles from our encampment, to be destroyed, thus cutting off all possibility of escape"; it was in all probability the only road, for roads were few in those days; the settlers were accustomed to cut across the prairies, directing their course by points of timber, and usually reached their destination with slight variation from the prescribed route. Imaginative writers, entirely ignorant of the size of the stream or the nature of the country near it, have pictured Vince's Bayou as a wide,

turbid, raging torrent, impossible to cross without a bridge, when, in reality, it is only three miles long, and, but for its boggy banks, might easily have been crossed at almost any point.

The direct line of march for the Mexican army from Fort Bend (near Richmond) to the ferry at Lynchburg, would have crossed Sim's Bayou at a point above the source of Vince's Bayou; and it was by this route that the heavy cannon and a portion of Cos's command marched.²⁰ The deep ruts left by this cannon in the soft prairie soil, which, on account of a very rainy season, was thoroughly saturated, were familiar to people living in this section of the country not only soon after the battle, but for months, and even years afterwards.

The Mexicans who had crossed Vince's Bridge naturally sought to escape by the same route, and the horse on which Santa Anna was mounted, a fine black stallion, which he had taken from the Vince's place on his march from Harrisburg to New Washington, took the road leading to his owner's home. If Santa Anna had been informed as to the "lay of the land" he could have made good his retreat to the Brazos, without ever seeing Vince's Bayou, as did a courier from Colonel Garcia, who reached Filisola on the afternoon of the 23rd of April, 1836.²¹

Well for Texas that there was no traitor to guide him, and that this small, insignificant, boggy little bayou, scarcely noticeable on the map, arrested his flight, and prevented his reaching the division of the Mexican army under Filisola, on the Brazos. Could he have done so, what might have been accomplished by Filisola with his four thousand and seventy-eight trained soldiers against the small Texas army at San Jacinto! The bridge was chopped and burned, so as to be impassable, but the remnants of timber were long to be seen on the bank. When a new one was made, it was placed about a hundred yards higher up the stream, and the one now in use is still farther from the original bridge and nearer the source of the small stream.

Many years ago in company with my grandmother, Mrs. Jane Harris, who was living at Harrisburg during the revolution, I fre-

²⁰*Texas Almanac*, 1870, 41-42—Account of the battle of San Jacinto by Col. Pedro Delgado.

²¹*Texas Almanac*, 1859, 59—"The San Jacinto Campaign," by N. D. Labadie.

quently traveled over this road, and had pointed out to me the location of the bridge, which had played such an important part in history.

An error made by the early writers in the names of two bayous which empty into Buffalo Bayou in the vicinity of Harrisburg, has resulted in a misconception of the movements of the Texian army before the battle of San Jacinto. For instance, the name of Bray's Bayou, which empties into Buffalo on its right bank to the north of Harrisburg, seems to have been substituted in Yoakum's History for Sim's Bayou, which lies about two miles south of it, and must have been crossed by Santa Anna, in his march from Harrisburg to New Washington. Bray's Bayou played no part in the march of the Texan army. The Texan army marched along the left bank of Buffalo Bayou to a point opposite Harrisburg, thence to a point just below the mouth of Sim's Bayou, two miles below Harrisburg, where they crossed to the right bank of Buffalo Bayou, using the floor of Mr. Isaac Batterson's house, which was about where Clinton now stands, to make a raft for crossing the troops, the horses being made to swim; thence, their line of march was the same that had been followed by Santa Anna until they neared Lynch's Ferry, where they halted, and where the famous battle took place.

Many refugees were encamped at no great distance, and heard the sound of the cannon, while waiting in great anxiety to learn who were the victors. Some were clustered together on Galveston island, where their temporary shelters of calico, domestic, and sheeting, stretched as awnings over sun-browned women and children, gave them a gypsy-like appearance. Newly arrived volunteers from New Orleans lent an important military air to the environs of little Fort Travis at Galveston. Finally, on April 26, all were summoned to approach the government headquarters when the bearer of dispatches from the army arrived—Benjamin C. Franklin was the messenger of good tidings.²²

²²It usually strikes the reader of Texas history with surprise, that, while the battle of San Jacinto took place on the afternoon of the twenty-first of April, the news did not reach the government headquarters at Galveston until the morning of the twenty-sixth, four days and a half after the event. A detailed account of the manner in which the news was carried by means of a row boat, was obtained by me from John Iiams, one of the rowers. Judge Franklin bore the dispatches, and

The joyful news of victory was received with a wild outburst of shouts and hurrahs. It was unexpected, for, most gloomy forebodings had marked the weary days of waiting on the island. Mingled with this heartfelt joy, however, was disappointment, that Santa Anna had not fallen by the sword or been riddled with musket balls; or, failing these most suitable means for his ending, how would their joy have been doubled, if following the news of victory had come the announcement of his military execution. The people were crazy with thirst for revenge. The refugee citizens, for the most part, made preparations to return to their homes and make the best of their late losses. But, the feeling among the troops became daily more intense, and President Burnet eventually became the target for their most bitter denunciation. After his removal with the cabinet and the prisoner, Santa Anna, to Velasco, and the conclusion of the treaties between them on May 14th, the violent outbreaks on the part of the troops manifested their unbridled temper, and caused the friends of Burnet to fear for his personal safety. The painful circumstance of the forcible interference of the military (mostly newly arrived volunteers), in preventing the government from carrying out article 10 of the treaty of Velasco, is recorded with reluctance by the historian. The two letters in the note below are of interest in this connection.²³

Liams was assisted in rowing by two others whose names are not remembered. He said they did not dare to venture out into deep water, but skirted the shore as closely as possible. Not being sufficiently furnished with cooked provisions to make the trip without stopping, and having neither space nor utensils for cooking on board, they had to stop along the shore to cook their scanty meals. A pamphlet by Judge R. C. Calder, recently called to my attention, shows that he was one of the rowers. The pamphlet was published in 1877—"The Messengers of San Jacinto."

²³The original of the letter from A. Briscoe was obtained from Mrs. Gertrude Hobby, widow of A. M. Hobby, December 5, 1899. Mrs. Hobby was then living at Ennis, Texas. Burnet's reply is among the papers of A. Briscoe.

"Galveston, Fort Travis, May 19th, 1836

"Dear Sir:—

"Availing myself of the privilege of a friend, I must take the liberty of warning you of the excitement of the people. We have received information here of extraordinary liberty allowed the prisoners under your eye, and knowing the natural benevolence of your character, I do not hesitate to believe it, I may pretend to know better the character of these people of Texas than you can, as well as the motives and principles which actuate the worse part of mankind, which you, having no feeling in common cannot pretend to understand. If Santa Anna is not spared for some evident political advantage, the people will not be satis-

The difficulties which encompassed President Burnet in preserving his prisoners from violence are well known historical facts, and his supposed leniency was so repugnant to the feelings of the mass of people, that his friends considered his life in jeopardy. It was not until after the election of General Houston in the fall of 1836 that the popular anger had sufficiently abated for reason to assume sway, and Santa Anna was released and allowed to pursue his journey under guard to Mexico, via Washington, D. C.

The summer and fall of 1836 were signalized by an element of unrest almost as great as that of the preceding year when the

fied without a trial. If he has not violated the laws of nations by his conduct toward Fannin's Division, he has at least violated the laws of this country by a deliberate murder, for which he must be tried, if not spared for some great political advantage.

"You have taken the responsibility of his safe keeping; the people will hold *you* personally responsible, and the world will not afford you a place of concealment if he or any of his suite should under any circumstances escape. This is from one who loves you much, the country more; who has the same feelings of the people, without their exuberance or suspicion; taking the liberty to subscribe myself with the highest respect and esteem.

"Your very Ob's Serv't

"A BRISCOE."

To this President Burnet replied:

"Velasco May 21st, 1836

"My Dear Sir:—

"Your favor of the 19th inst. is just received. It gives me an unfeigned and somewhat *unusual* pleasure to be had in Texas, to recognize in your letter feelings and the sentiments of genuine, unsophisticated friendship. It is a manifestation that is peculiarly gratifying to me at this time. You will, therefore, accept my sincere thanks for it.

"I am not aware that any extraordinary privileges are granted the President, Santa Anna. He and his suite are confined to a small house, which is constantly patrolled by a guard consisting of two soldiers with the usual reliefs. He is treated, I believe, with the respect due his rank and condition. This is in accordance with my views of propriety, and for this I am *willing* to be responsible before the world.

"If he should escape, an event which I do not think at all probable, the *fault* will not be mine, but I *am* sensible the responsibility would, however unjust the imputation would be.

"I have from the beginning strenuously opposed the murdering policy, and so long as I retain a sense of my paramount responsibility to my God, I will continue to do so, though every man in Texas act otherwise. The idea of a judicial trial is too great an absurdity for sensible men to entertain. The Chiefs of beligerent nations have never yet been thought amenable to the Courts of the *enemy* Country, for any of their official acts. A cold blooded massacre, even when it might be justified by a rigid interpretation of the *lex talionis* would elevate either the moral *reputation* or the actual moral feelings of the people of Texas. It would be revolting to every feeling heart throughout the world, and I have yet to learn any one benefit that would result from it. Santa Anna *dead* is

revolution was brewing.²⁴ While the battle of San Jacinto brought a temporary feeling of security, there were persistent rumors of preparations for a new invasion: volunteer companies were constantly arriving from the United States, and while they were warmly welcomed on Texas soil, their lack of discipline often promoted disturbances, and delayed the establishment and enforcement of the sorely needed laws. Mexican cruisers in the gulf

no more than Tom, Dick or Harry *dead*, but, living, he may avail *Texas* much.

"From these brief terms, you may deduce my views. I know the popular jealousies, that men are always ready to impute to others the atrocities which they themselves are capable of, and are slow to believe that others can act from higher and purer motives than influence themselves. Such men are found all the world over, and they are not scarce in Texas. But I hope better things of *others*, and am willing at all times to submit my public and private conduct to their judgment. The future good of Texas is my single object; thus far, I have absolutely neglected all my private interests even to the present *comfort* of my little family to promote that object,—if my efforts fail, the misfortune will be mine, but

A guilty conscience
I will avoid, Err
I may, but I do not
intend to err.

"Finding a brief leisure, it gives me pleasure to write this much to one to whose honor and sincerity I have implicit confidence and who I trust will believe me to be

"His friend and St

"DAVID G. BURNET."

"CAPT. A. BRISCOE,

"Galveston."

²⁴A spirited letter from Col. James Morgan, who was stationed on Galveston Island, and had in charge many of the prisoners captured at San Jacinto, illustrates well the general feeling of insecurity as to probable invasion, and also the undertone of incredulity as to the future of the new town of Houston, which then existed only on paper.

"Galveston, Sept. 30, 1836

"Dear Sir:—

"Since the receipt of yours of the 8th, if I have had an opportunity of answering it, I have not been aware of it. I have had nothing important to communicate. The account you gave of the election did somewhat surprise me. Hurrah! for Capt. Bob! There can be no doubt of General Houston's election to the presidency, and less of General Lamar's to the Vice presidency.

"You have no doubt heard how the election went on the Brazos. I have just returned from Velasco. The Flash was there and has nothing for you. She will be here today, is now in sight with a fair wind, which has been ahead a day or two.

"I presume your correspondent in N. O. did not send what you ordered in consequence of her advertising for Velasco, though she has brought articles for Gov. Zavala. The Kos will probably bring yours; she will be here without doubt in ten days.

"The Independence, Com. Hawkins, arrived at Velsaco, just before I got there. He was chased on the coast of Mexico for 10 or 12 hours by

gave chase to the poorly equipped vessels of the Texas navy, and the people of the coast country were kept in dread of war from without, and internal commotion by the discontented Texas army.

armed Mexican brigs and one schooner, but made his escape. He learned their names on the coast. In all they carry 27 guns. He was informed off Matamoras that 4000 Mexicans were on the march for Texas, 2000 of which were cavalry: Carnes and Teal have escaped and are at headquarters of the Army. They bring news of more troops raised in Mexico for this country, headed by General Bravo and Valencio.

"We shall have warm work yet. I am glad to hear of the brisk trade you have and that the health of the country is getting better: I have my doubts whether the Colonel will ever be able to get his mill agoing, notwithstanding his industry and perseverance.

"I had heard of the high times at Harrisburg. The new town of Houston cuts a considerable swell in the paper. I wish its projectors and proprietors success with all my heart. It will injure Harrisburg City greatly when it gets into successful operation. Property must begin to depreciate there already. As for New Washington and Lynchburg, Scotisburg and all the other burgs, not forgetting Powhatan, all must go down now. Houstonburg must go ahead in the *newspaper at least*.

"I have had on the Island the secret agent of the United States. Next Congress will not attach us to the Union, I think. A spy has been on the Island likewise—A letter from him to General Urrea has been intercepted at New Orleans. I expect soon to go to the United States. Have you any commands?

"Truly and Respectfully yrs

"J. MORGAN."

"CAPT. A. BRISCOE."

III. LOCAL ADMINISTRATION

With the election of General Houston and Mirabeau Lamar as President and Vice President of the Republic, the terms of Burnet and Zavala drew to a close. The new Congress, which, together with the President and Vice President, had been elected on the first Monday in September, assembled on the third day of October in the town of Columbia, Brazoria County. Zavala resigned his office October 21st, and Burnet sent in his last official communication on the next day. On assuming the duties of his office Lamar paid a noble, eloquent tribute to his predecessor, commending his public and private virtues. Zavala had died at his home on Buffalo Bayou November 15, 1836.¹

The Constitution, under whose provisions the first Congress assembled, had been adopted at Washington on the Brazos on the 17th day of March. Certain of its articles provided for the division of the Republic into convenient counties, and the establishment in each county of a county court and such "justices' courts" as Congress should from time to time determine. So, with the passing of the provisional government, which now took place, new laws were made for the establishment and government of these counties. The first act passed relating to the County of Harrisburg provided that "the seat of justice be, and the same is hereby established at the town of Houston." This act was approved December 22, 1836, and a section of the same act decreed "that the Island of Galveston shall for the future be included within the limits of the County of Harrisburg and be and compose a part of said County."

The time for "holding court" in Harrisburg County was fixed by the first Congress, on the fourth Monday of January, April, and October. It consisted of a chief justice, elected by joint ballot of both houses of Congress for a period of four years, and two associate justices selected by a majority of the justices of the peace from among their own body, and said justices so selected were

¹Brown, *History of Texas*, II, 108-109.

required to attend said county court, or pay a fine, to be assessed by the chief justice, not exceeding one hundred dollars. The law required that there should be elected by qualified voters, from each militia captain's district, two justices of the peace for their respective districts, "who shall be commissioned by the president and hold office for two years."²

The name "Harrisburg County" remained in use until it was changed to "Harris" by a joint resolution of Congress, approved by Mirabeau B. Lamar, December 28, 1839.

The creation of the County of Galveston on May 15, 1838, relieved the chief justice of Harrisburg County of one responsibility previously attaching to his office, which had required that a justice of the peace and a constable should be maintained on the island and elections be held there.

Andrew Briscoe, the first chief justice of Harris County, was a Mississippian, who had studied law in the office of General John A. Quitman at Jackson, Mississippi. He was admitted to practice in the courts of that state. He did not follow the profession of law for any length of time, however, but lived on his plantation. He was registered as a citizen of the State of Coahuila and Texas, district of Ayish in 1833, and made several trips back and forth between Mississippi and Texas on horseback before engaging in any business. He was about twenty-five years old when finally, early in 1835, he landed a stock of goods and opened a store at Anahuac. The details of his experience with the Mexican authorities at this place are given in letters, which have been made a part of this history, and in copies of publications made at the time in a newspaper at Columbia.

The irregularity, unavoidably attendant upon the organization of the government of the Republic of Texas, also pervaded that of Harris County, thus casting great responsibility upon the first chief justice. He was obliged to assume authority not yet clearly defined by law. Three letters addressed by him to Hon. Thomas J. Rusk, which show his position in the premises, are on file at Austin.

The previous course of Andrew Briscoe in doing his part as a soldier toward gaining independence, as a member of the Convention at Washington, toward forming a government, all gave assurance of his faithful discharge of any duty intrusted to him.

²Gammel, *Laws of Texas*, I, 216-224.

At San Antonio, where he, with his company of Liberty Volunteers, had taken part in the minor engagements about that place, he had later volunteered to "follow old Ben Milam into San Antonio." Then, when the people of the municipality of Harrisburg had elected him to join his colleague, De Zavala, and represent them at Washington, he rode across the country to that place. The deliberations of the Convention having come to an end, he was immediately commissioned into military service again. At the battle of San Jacinto he was captain of Company A, Infantry Regulars, under command of Colonel Henry Millard. He had been tried and found true, and the newly organized government commissioned him to continue in the service, but in a new rôle, as chief justice of the County of Harrisburg.

There was much embarrassment in organizing the new county. The appointment of the chief justice of Harrisburg County was made on December 20, 1836, yet twenty days elapsed without his receiving any official notification of his appointment, and he was impelled to write on January 9, 1837, to Rusk, then secretary of state, reporting the fact that all the information he had obtained with regard to carrying out the duties of the office he was expected to fill, had been through the newspapers, and "a hand bill with the printed name of Wm. S. Fisher appended, requiring the chief justice immediately to organize the militia according to law, but addressed to no one."

Seeing the great necessity for the immediate organization of the militia, he was resolved to take the oath of office at Harrisburg and carry out this important duty, but to perform no other official functions until instructions had been received from the department of state.

Another letter to the same authority dated January 11, 1837, says: "I had received no official intelligence that I had been appointed to the office, but suppose that such neglect was caused by the late illness of General Austin. I have taken the 'responsibility' of dividing my county into captain's beats, and have issued officially orders for militia election. If I have done wrong it will produce no bad results."

He further speaks of the county being very much disorganized and entirely without magistrates, and of the fact that he had not seen the law creating county courts, nor had he taken the oath of

office on account of the absence of Robert Wilson from Harrisburg County at that time.

In the next letter dated January 30, 1837, he includes a statement of "the boundaries of Harrisburg County as nearly as they could be ascertained in the absence of the laws creating them."

He suggests that "Galveston Island having been attached to this County by a late act of Congress, throws our County into a very awkward shape, said Island being entirely unconnected with any other part of the County"; and concludes by outlining plans for certain changes in the county boundaries.

The county court of Harrisburg County, as first organized, with few exceptions, corresponds very closely with that in force at the present day. The county commissioners, justices of the peace, and chief justice of the county court constituted a board of commissioners which was invested with entire control and supervision of roads, highways, ferries, bridges, and was required to provide at the expense of the county, for the support of the indigent, blind, and lame, who were unable to support themselves.

All probate business was in charge of the chief justice of the county court. Among inventories of estates filed, were included the names of many slaves, and occasionally an application was made for guardianship for a "free girl or boy of color."

Records of the probate court show that at its first session on February 28, 1837, Richard Vince, by his attorney, T. J. Gazley, asked to be appointed administrator of the estate of Robert Vince, deceased, which was granted.

The first marriage license was granted to Hugh McCrory and Mary Smith, July 16, 1837. It was signed by D. W. Clinton Harris, County Clerk. The marriage took place July 23, 1837, Z. H. Matthews, a minister of the Methodist Church, officiating.

The minutes of the commissioners' and county court from March 9, 1837, to March 23, 1846, give the names of the following chief justices who performed the duties of this office, viz: Andrew Briscoe, H. Humphreys, B. P. Buckner, Isaac N. Moreland and A. P. Thompson. Associate justices for the same period were Joel Wheaton, Clement C. Dyer, James McGahey, John Shea, Benjamin F. Hanna, E. H. Wingfield, John Fitzgerald, George Fisher, Sol Child, James M. McGee, W. F. Weeks, C. Herman Jaeger, J. W. Fogg and Josiah T. Harrell. Clerks of the county

court were D. W. C. Harris, E. D. Wingfield (clerk pro tem. for probate court October 29, 1837), and Wm. R. Baker.

Minutes of the commissioners court for the first term show that the board of commissioners met on March 9, 1837, "pursuant to the order of Hon. A. Briscoe." The justices of the peace present were Isaac Batterson, C. C. Dyer, Joel Wheaton, John Denton, and J. S. McGahey. A. Briscoe, president of the board, presided. Two associate justices for the county and probate courts were elected by ballot. They were C. C. Dyer and Joel Wheaton. The minutes were signed by D. W. C. Harris, Clerk.

The minutes of September record the names of C. C. Dyer, J. Cooper, M. M. Battle and J. S. McGahey as having been appointed to prepare plans and receive bids for a court house and jail. At another meeting in the same month they reported, and a committee consisting of the chief justice and Sheriff John M. Moore, was appointed to receive title to the square upon which the buildings were to be placed. The committee to build the court house and jail consisted of M. M. Battle, C. C. Dyer and Isaac Batterson.

On January 18, 1838, A. Briscoe reported that the contract had been let to Maurice L. Birdsall to build the jail at \$4,750.00, and the court house for \$3800.00. At a meeting held on April 7, 1838, it was reported that some alteration had been made in the plan of the jail, making it necessary to contract for a second story to the building. This contract was also taken by Birdsall. The work was completed and the jail ready for occupancy on the 23d day of March. The contractor had been allowed till March 20, and the explanation was made by the president of the board that, "this delay is excusable on account of the uncertainty of communication between this port and New Orleans, where he had to send for his spikes and iron doors."

The commissioners were greatly harassed by the complaints of property owners in the neighborhood of court house square, who objected to the location of the jail there.³

The first commissioners court was officially called "The Board of Commissioners of Roads and Revenues."

The sheriffs were John W. Moore, Magnus T. Rodgers and John Fitzgerald.

The sheriff's duties included the collection of taxes, and he was

³Another courthouse was built in 1850 on the square.

required to open an office in different sections of the county, on stated dates. For instance, on June 5, 1839, Sheriff John W. Moore gave notice that he would attend in his office in the city of Houston on June 30, at Lynchburg on July 1, at Wm. Pierpont's store, Spring Creek, for receiving State and County taxes for 1838, inviting all tax payers to be present on these dates, and settle up, or be dealt with according to law.

The deputy sheriffs often performed the duty of collecting taxes in the county precincts. William K. Wilson was one of the deputies who performed this office for many years.

A list of precincts in the county tends to show that in 1843 the largest part of the population was in, and south of, the city of Houston. Chief Justice Algernon P. Thompson, in ordering an election for sheriff and coroner February 6, 1843, declared that polls should be opened at the following precincts, in charge of presiding officers, viz: No. 1, Court House, Jas. M. McGee, Esq.; No. 2, Kesslers' Arcade, G. H. Jaeger, Esq.; No. 3, City Hotel, F. C. Wilson, Esq.; No. 4, Niles' Coffee House, R. A. Hanks, Esq.; No. 5, Harrisburg, A. Briscoe, Esq.; No. 6, Lynchburg, at Hardin's house, M. Hardin, Sen.; No. 7, S. N. Dobie's, Middle Bayou, G. B. Reed, Esq.; No. 8, Spillman's Island, H. Levenhagen; No. 9, B. Page's, B. Page; No. 10, Penn's, San Jacinto, D. P. Penn; No. 11, R. Dunman's, Werry B. Adams; No. 12, Cypress Bayou, John W. Fogg, John Simons; No. 13, Spring Creek, G. W. Cropper, W. Beasley.

The Republic of Texas was divided into four judicial districts, and one judge was elected to each district by vote of both houses of Congress. He was required to reside, after his appointment, in one of the counties of which his district was composed. A district court was required to be held in the county of Harrisburg on the third Mondays in March and September, and might continue in session six days and no longer. As the judges were required "to alternate, so that no one judge should hold court in the same circuit for two courts in succession, unless called upon to do so by the judge whose duty it may be to hold such circuit," the minutes of the district court of Harris County show that twelve different judges presided during the period from March, 1837, to the fall of 1846.

Harrisburg (Harris) County was at first comprised in the sec-

ond judicial district, but, upon an increase in the number of districts, it became, after a few years, a part of the fourth, and subsequently upon the further increase of districts to seven, it composed a part of the first district. Every session of Congress changed the counties of the several districts, and the times for holding courts, so that there seems to have been much irregularity in the courts of this county. What with deaths, resignations, and absences of the judges, many terms of court passed without sessions being held, and little business was transacted, as shown by the minutes. Owing to the frequent changes in the laws regulating these courts, there seems to have been confusion in the minds of the lawyers as to who were qualified to preside. *The Morning Star* of December 5, 1839, comments as follows: "There is strong reason to fear that the regular term for holding a session of the District court in the county will again be permitted to pass unimproved, as there appears to be a great difficulty about a judge. It was imagined in the absence of the newly elected judge of this District, Judge Shelby would preside during the present session, but it has been decided this measure would also be illegal." Judge Benjamin C. Franklin presided over the first term, of March, 1837. Others who presided at succeeding terms were Shelby Corzine, James W. Robinson, Edward T. Branch, R. M. Williamson, H. W. Fontaine, A. B. Shelby, Richard Morris, Patrick C. Jack, M. P. Norton, R. T. Wheeler, and John B. Jones.⁴ In many instances the statement is made on the minutes, "Judge absent," "No court," and in very few cases were the minutes signed.

The District clerks for the same period from March, 1837, to the fall term of 1846 were J. S. Holman and Francis R. Lubbock.

"The District Courts having been organized by the Act of December 22, 1836, the first District Court held in the county was opened on Monday, the 20th of March, 1837. Present—Hon. Benjamin C. Franklin, Judge; John W. Moore, Sheriff; James S. Holman, Clerk. The commission of the Judge, dated December 20, 1836, and signed by Sam Houston, President, and Stephen F. Austin, Secretary of State, was read and ordered to be recorded. The following are those who answered when called by the sheriff,

⁴This list of judges was obtained from the minutes of the District Court, Eleventh Judicial District of the State of Texas, where the minutes of the District Court of Harris County of the Republic of Texas have been preserved. They are comprised in books A, B, C, D, and E.

came into court and composed the first Grand Jury, to-wit: Benjamin F. Smith, Edward Ray, Benjamin Stancil, Abraham Roberts, P. W. Rose, Wm. Goodman, M. H. Bundic, Wm. Burnett, John Goodman, sr., Freeman Wilkerson, Gilbert Brooks, Thomas Hancock, Allen Vince, John Dunman, James Earls, Elijah Henning, Andrew H. Long and Joseph House, sr. Benjamin F. Smith was appointed foreman. This grand jury held its sessions in the boughs of some large trees which had been cut down and were lying on the ground near by. On the next day, March 21, the first indictment was brought in; it was against Whitney Britton for assault and battery; also, against Joseph T. Bell for murder, and James Adams for larceny. Britton was tried on the same day and fined five dollars. Joseph T. Bell was also tried on the same day under the indictment for murder. Bell demurred to the indictment—this, we are told means to stop or delay—the court however, positively refused to be delayed right in the threshold of its proceedings; the demurrer was overruled and Bell required to answer, which he did by pleading ‘not guilty’; then came a jury, the first ever empaneled in the county, to-wit: Berry Beasley, Sam M. Harris, Arche Hodge, James Pevehouse, D. S. Harbent, Edward Dickinson, John Woodruff, Marshall McKeever, Elliot Hodge, Leeman Kelcey, John O’Bryan and Joseph A. Harris, who concluded that the prisoner had done nothing more than they would have done under similar circumstances, and returned a verdict of justifiable homicide. James Adams being also tried for larceny, we find Gov. F. R. Lubbock on the jury—the jury found the prisoner guilty of the theft and it was thereupon decreed that that said Adams restore to Lawrence Ramey \$295 and the notes mentioned in the indictment, and further that he receive thirty-nine lashes on his bare back, and be branded in the right hand with the letter T, and that the sheriff or his deputy, on Friday, March 31, execute the sentence in some public place in the city of Houston.”²⁵

The custom of duelling prevailed in the Republic of Texas, as it did in many of the states at that time. But efforts were being made to discountenance it, and on December 26, 1838, we find the foreman of the grand jury and his fellow jurymen issuing a lengthy and forcible address, principally directed against the evil

²⁵Burke's *Texas Almanac*, 86-87.

of duelling, and earnestly inviting the attention of Congress to the necessity for specific laws against the practice. The names of this grand jury are recorded as follows: Niles E. Smith, Foreman, W. Douglas Lee, A. C. Allen, George White, William M. Cooke, John Alex. Newland, James Seymour, John Iiams, William B. Bronaugh, L. C. Stanley, Daniel Shipman, Lorenzo de Zavala,⁶ George W. Powell, Richard Ross.

The following is a partial list of the members of the bar, and officers of the court of the Second Judicial District in 1839. It was copied from *The Morning Star*, April 16, 1839, and represents those who endorsed Augustus Tompkins for re-election to the office of district attorney, which he then held:

Moseley Baker, I. N. Moreland, John Birdsall, H. W. Fontaine, Thomas J. Gazley, H. Austin, S. L. B. Jasper, Jackson Smith, E. L. Stickney, J. H. Herndon, Wm. Ward, A. H. Phillips, John R. Reid, P. R. Lilly, Solon Miller, Jas. Love, Pat C. Jack, Chas. Cleland, Robert Page, Fenton M. Gibson, John L. Doran, A. B. Shelby, A. Wynne, R. Ross, R. Morris, J. W. Moore, Sheriff Harris Co., Jno. Fitzgerald, Coroner, E. H. Winfield, Clerk District Court, A. M. Tompkins, District Attorney.

Harris County was represented in the Congress of the Republic of Texas by the following: In the first, second and third sessions of the Senate, by Robert Wilson; fourth, fifth and sixth by Francis Moore, Jr.; seventh, eighth and ninth by William Lawrence. In the first session of the House by Jesse H. Cartwright, second by Thomas J. Gazley, third and fourth by William Lawrence, fifth by James Reilly,⁷ sixth by Archibald Wynne, seventh by Sidney Sherman, eighth and ninth by J. W. Henderson.⁸

As the finances of a county are of the utmost importance in tracing its progress, I endeavored to get an accurate record of the tax returns of Harris County, hoping to find in the assessment

⁶This was the eldest son of General Lorenzo de Zavala, who remained in Texas several years after the Revolution, and eventually removed to Yucatan.

⁷James Reilly represented the Republic of Texas at Washington, and during Buchanan's administration was appointed minister from the United States to Russia. He was killed while in command of his regiment, C. S. A., at the battle of Franklin, Louisiana, in 1862.

⁸J. W. Henderson was Lieutenant Governor when Governor Peter Hansboro Bell was elected to congress in 1853, and served as Governor during the remainder of his term of office.

rolls items that would be of interest. But, they were not accessible, having been stored in the old jail at the time the new court house was under construction. I then applied to the comptroller's office at Austin, and was told that the records sought for, were there, but upon investigation I learned that they were in a bad condition, being not only yellow from age, but that insects had ravaged among their figures, and they could only be studied and satisfactorily deciphered by the aid of a magnifying glass. Under these adverse conditions, I have been unable to do more than approximate the financial status of the county, during the nine years of its corporate existence as a part of the Republic of Texas, and have culled from the mutilated data a few items which are here presented:

In the treasury department, office of the commissioner of revenue, is the sworn statement of John W. Moore, first Sheriff of Harris County, to the effect that "the amount of nine thousand six hundred and forty two 44/100 dollars is all the taxes collected by me for the year 1837." This was sworn to and subscribed before E. L. Stickney, acting commissioner of revenue at Austin, on August 13, 1840—a fair showing for a new county in a country just emerging from revolution. A steady rise in values continued until the crest of prosperity was reached in 1841, when official returns showed the total amount of \$12,218.45 assessed. But the next year the curve of decline was so sharp as to indicate a panic, and such there really was. The two Mexican invasions of that year necessitated a call "to arms," and the able-bodied men of the county again went into the field in defense of Texas. It is not surprising to find that the list of taxable property handed in for assessment amounted to but little in excess of one-fourth of that of the previous year, to be exact, the small sum of \$3,116.40.⁹

In this assessment were included 1,039,239 acres of land valued at \$789,515, 1068 town lots at \$279,818. Among the assessed property were 287 negroes over ten years old, and 151 under that age; 1 stud horse, 373 work horses, \$300.00 at interest, 5779 head of cattle, 9 pleasure carriages, 19 wooden clocks, 3 metal clocks, 17 silver watches and 21 gold watches.

The generally disturbed condition of the whole country on ac-

⁹The report was made by W. R. Baker, Chief Clerk, Harris County, and Assessor, before A. P. Thompson, Chief Justice, on November 30, 1842.

count of actual invasion, the consequent depreciation of the currency of the Republic, and the removal of the capital from Harris County combined to create severe financial depression from which there was slow recovery. Records during the years intervening between this time and annexation, instead of showing an advance in values, indicate a downward tendency, which continued until annexation was an assured certainty.

The student of history who reviews the phases of life in this county during the Republic, finds much of interest, not in the success that attended the efforts put forth, for there was slight reward, but in the unswerving faith of those who had settled here and determined to stay, come weal or woe. In no respect was this quality of the citizenship more signally displayed than in the building up of its chief city, named in honor of Sam Houston, the commander in chief of the Texan army, the hero of San Jacinto.

IV. THE BEGINNINGS OF HOUSTON

The town site of Harrisburg at the junction of Buffalo and Bray's Bayous offers so pleasing a view, its facilities for navigation and drainage are so superior, by comparison, that the question is often asked, why the chief city of the county was not built there instead of at Houston. The following statement tells briefly the chief causes for the establishment of a city at a point which offered no natural advantages, and whose successful upbuilding was long regarded as extremely problematical.

Notwithstanding the litigation over the estate of John R. Harris, still pending in the courts when the revolution broke out, the town of Harrisburg was flourishing at that time. The additional prominence given to it by the Provisional Government of the Republic of Texas in making it the seat of government, for a few weeks before the battle of San Jacinto, contributed to its destruction. Santa Anna, foiled in his attempt to capture the Texas cabinet, who had their headquarters at the home of Mrs. Jane Harris, avenged himself upon the town by setting fire to every house, whose owners had fled when the Government, thanks to a timely warning retreated to New Washington.¹

The destruction of Harrisburg was so complete and the probability of a final settlement of the lawsuit which involved the title to its land so remote, that the idea of founding a new town in its vicinity on Buffalo Bayou immediately took form in the minds of two enterprising New Yorkers, Augustus C. and John K. Allen, who had been living for several years at Nacogdoches. They lost no time in taking steps toward the purchase of a tract of land on the Bayou, five miles north of Harrisburg, where they laid off a town and called it Houston, in honor of the victorious

¹The only house spared by the Mexicans stood on the edge of the prairie about one-eighth of a mile south of the present intersection of the Galveston, Harrisburg & San Antonio Railroad track with that of the Galveston, Houston & Henderson. It was known to the old settlers as the "Farmer house," and to its friendly shelter Mrs. Jane Harris repaired, when, returning after the battle of San Jacinto, she found here the only vestige of the lately thriving town.

General. News of the projected town spread rapidly, many people were homeless, and they flocked thither, especially from Brazoria and Harris Counties. In fact, it became a town of tents and clapboards before the Allens had purchased the land.² It was located on an original grant from Mexico to John Austin, dated July 20, 1824, and was inherited by his widow, Elizabeth E. Austin, who became the wife of T. F. L. Parrott. "In August, 1836, Messrs. A. C. and J. K. Allen bought of Mrs. T. F. L. Parrott the south half of the lower of the two leagues granted to John Austin, near the head of tide water on Buffalo Bayou. The deed is dated August 26, 1836, the consideration expressed, five thousand dollars. It declares, after the peculiar manner of the deeds of that day, 'that the above price is the just value, and should it be hereafter worth more, she makes a donation of the excess to the purchases be it more or less.' It was recorded in Harrisburg County record of deeds, November 8, 1837."³ The deed on record from the Mexican Government to John Austin (1824) mentions the occupancy of a part of the league by George Robinson, another first settler, of whom little is known.

By the time the first congress of the Republic assembled at Columbia, in October, 1836, the Allens were prepared to offer sufficient inducements to the government, not only to secure for the new town the title of capital of the Republic, but also to make it the county seat of Harrisburg, afterwards Harris, County.

The first map of Houston seems to have been made by G. and T. H. Borden, and was used for advertising the new city. It was announced in the *Telegraph and Texas Register* of November 19, 1836, that it could be seen in the Senate chamber at Columbia. A lithograph copy of it, which was the property of Robert Wilson, is made a part of this history, and the newspaper clipping attached and forming a part of it shows that advertising methods were, at that date, fully up to the present standard of the most enterprising real estate agents.⁴

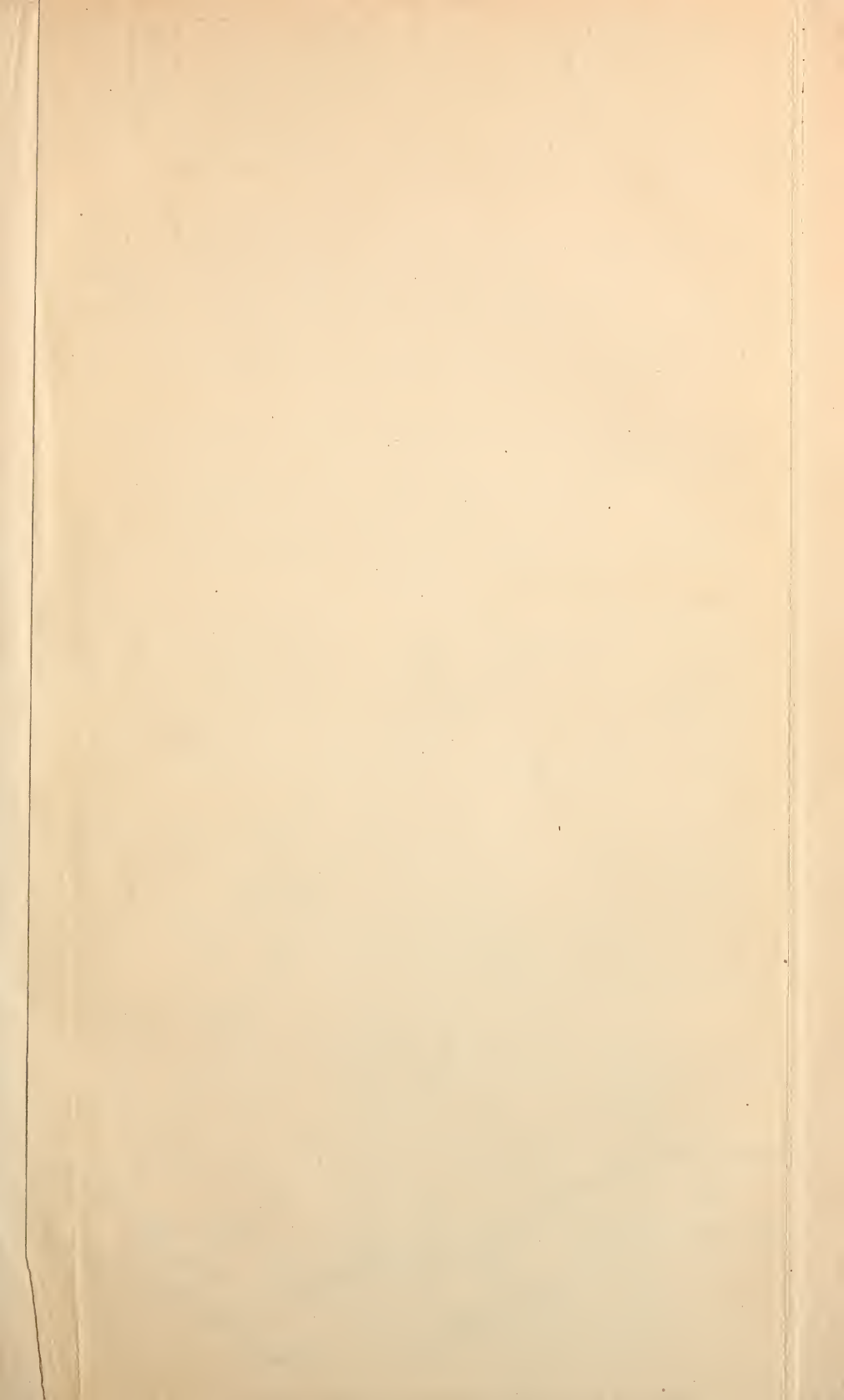
²See "Reminiscences of Mrs. Dilue Harris," THE QUARTERLY, IV, 182.

³Burke's *Texas Almanac* for 1879, p. 83.

⁴This advertisement formed a part of the first map of the city of Houston:

THE CITY OF HOUSTON.

"Situated at the head of navigation on the West bank of the Buffalo Bayou, is now for the first time brought to public notice, because, until



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FIRST MAP OF THE CITY OF HOUSTON, 1836.

The first session of the congress of Texas, having adjourned on December, 1836, met at the newly laid out city of Houston, on May 5, 1837. All roads now led to Houston. Frame buildings sprang up almost by magic, and in an incredibly short time numerous stores, hotels, boarding houses, and saloons gave evidence that the town had come to stay. Among the first needs were a court-house and jail, and a block of ground had been set aside by the Allens to serve these purposes. The contract for building a two story frame court-house and a log jail was awarded to Dr. Maurice L. Birdsall and work upon both buildings was industriously carried on, but many obstacles were encountered, and the court-house had not been completed when the first term of court was held, in March, 1837. In fact it was scarcely more than begun, so the branches of some pine trees which had been cut down served as an assembly room for the first grand jury.

now, the proprietors were not ready to offer it to the public, with the advantages of capital and improvements.

"The City of Houston is located at a point on the river which must ever command the trade of the largest and richest portion of Texas. By reference to the map, it will be seen that the trade of San Jacinto, Spring Creek, New Kentucky and the Brazos, above and below Fort Bend, must necessarily come to this place, and will at this time warrant the employment of at least One Million Dollars of capital, and when the rich lands of this country shall be settled, a trade will flow to it, making it beyond doubt, the great interior commercial emporium of Texas.

"The City of Houston is distant 15 miles from the Brazos river; 30 miles a little north of East from San Fillipe; 60 miles from Washington; 40 miles from Lake Creek; 30 miles Southwest from New Kentucky, and 15 miles by water and 8 or 10 by land from Harrisburg. Tide water runs to this place and the lowest depth of water is about six feet. Vessels from New Orleans or New York can sail without obstacle to this place, and steamboats of the largest class can run down to Galveston Island in 8 or 10 hours, in all seasons of the year. It is but a few hours sail down the bay, where one may take an excursion of pleasure and enjoy the luxuries of fish, fowl, oysters and sea bathing. Galveston Harbor being the only one in which vessels drawing a large draft of water can navigate, must necessarily render the Island the great naval and commercial depot of the country.

"The City of Houston must be the place where arms, ammunition and provisions for the government will be stored, because, situated in the very heart of the country, it combines security and the means of easy distribution, and a national armory will no doubt very soon be established at this point.

"There is no place in Texas more healthy, having an abundance of excellent spring water, and enjoying the sea breeze in all its freshness. No place in Texas possesses so many advantages for building, having Pine, Ash, Cedar and Oak in inexhaustible quantities; also the tall and beautiful Magnolia grows in abundance. In the vicinity are fine quarries of stone.

"Nature appears to have designated this place for the future seat of

The City of Houston was originally laid off entirely on the South side of Buffalo Bayou, near its junction with White Oak. As shown by the first map, a space averaging one hundred feet in width along the Bayou bank was designated Water Street. The streets running from Northwest to Southeast were as nearly parallel with the banks of the stream as its sinuous course would permit, and were named respectively, Commerce, Franklin, Congress, Preston and Prairie; bisecting streets were named Brazos, Smith, Louisiana, Milam, Travis, Main, Fannin, San Jacinto, Carolina, Austin and Lamar. These completed the limits of the City on the date its projectors and owners obtained the votes of Congress necessary to make it the temporary seat of government.

These first street names show that the city had its birth just after the struggle for independence, and that its founders were neither unmindful of the sacrifice of life within the bounds of Texas, nor of the noble spirits in the States, who, with counsel and money aided the cause and contributed to its success. Their names were household words. Every body knew that Senator W. C. Preston of South Carolina was one of the best friends Texas had, and it was fitting that not only his own name, but that of his State, should be commemorated, in the capital of the Republic.

A later map bore the name of Alcée La Branche, Chargé d'affaires from the United States. He was very popular, and the street that had first been called Lamar was changed to La Branche, and is so called today. As the influence of Lamar was thrown in

Government. It is handsome and beautifully elevated, salubrious and well watered, and now in the very heart or center of population, and will be so for a length of time to come. It combines two important advantages: a communication with the coast and foreign countries, and with the different portions of the Republic. As the country shall improve railroads will become in use, and will be extended from this point to the Brazos, and up the same, also from this up to the head waters of San Jacinto, embracing that rich country, and in a few years the whole trade of the upper Brazos will make its way into Galveston Bay through this channel.

"Preparations are now making to erect a water Saw Mill, and a large Public House for accommodation, will soon be opened. Steamboats now run in this river, and will in a short time commence running regularly to the Island. The proprietors offer the lots for sale on moderate terms to those who desire to improve them, and invite the public to examine for themselves.

"A. C. Allen for A. C. Allen and J. K. Allen."

"N. B. Since the above has been in press we have learned that Houston has become the seat of Government."

favor of the location of the capital at Austin, it is well known that he was not a favorite in the city of Houston. However, as the city grew, his name was again placed on its enlarged map, to designate one of its chief streets. Joseph Tucker Crawford, who visited Texas in 1837 to report on the condition of the country for Great Britain,⁵ was popular with the citizens of Houston, and the second map of the town shows his name on one of the streets.

It was evidently the first intention to locate the government buildings on the block marked "Congress Square" and the adjoining unmarked block, shown on the map as lying between Congress and Prairie streets, and bounded on one side by Travis and on the other by Milam. Besides the Borden map there were others made and used by the Allens in disposing of the townsite, and several different plans seem to have been devised for the location of the Capitol building, which were not adopted. The National Building was to occupy the center of four city blocks, and the broad avenue leading to it was Capitol Avenue. Circumstances, of whose detail we have no record, determined upon another location for the Capitol.

Governor F. R. Lubbock, in his memoir, *Six Decades in Texas*, says,

The Allens had undertaken to provide a capitol building for Houston, but fearing they might not have it ready for the meeting of congress on the first of May, erected on Main Street a one story building covering the front of an entire block. At one corner of the block a large room was constructed for the Senate, and on the other corner a larger one for the House of Representatives, and the space between partitioned off into rooms for the department offices. Col. Thos. W. Ward was the Capitol Contractor under the Allens.

This crude substitute for the capitol building was soon superseded by a two story structure covering about two and one-half lots on the northwest corner of Main Street and Texas Avenue, which was built for the Allens by Thomas W. Ward, of lumber brought from Maine. The Republic of Texas paid a yearly rental of \$5000, beginning the twenty-fifth day of September, 1837.⁶

⁵See THE QUARTERLY, XV, 202 ff.

⁶After the removal of the capital to Austin in 1839, this building was converted into a hotel and was long known as the "Old Capitol." Several pictures of the building made while it served this purpose have been pre-

The presence of State officials, of ministers and other representatives from foreign countries invested the place with an importance out of harmony with its general character and primitive environment.

The need for a supply of drinking water for the large number of people who frequented the capital was keenly felt. One of the first acts of Congress, approved December 18, 1837, authorized F. R. Lubbock to procure cisterns for the use of the capitol building, to contain 10,000 gallons. On December 15, 1838, a meeting of citizens was held to organize the Houston Water Works Company, Beauchamps Springs on White Oak Bayou to furnish the supply. The water of these Springs, about two miles distant, was considered pure, and as the wooden tanks, attached to the dwellings and other houses, did not hold sufficient rain water, this water was sold by the gallon and carted about town. The Water Works Company, so far as records show, did not progress farther than the meeting, and the election of Wm. Lawrence as Chairman and A. F. Woodward, Secretary. It was more than forty years after this date that a waterworks company became a real factor among Houston enterprises.

In the founding of the city much stress had been laid upon its being at the head of navigation, and its citizens from the beginning strove faithfully to make this true. They fully realized that it would require great efforts, and the ball then set in motion has not ceased to roll with increasing momentum up to the present time. Harrisburg had heretofore been regarded as the head of navigation on Buffalo Bayou, and it required a great deal of labor and time, expended in cutting away logs, brush and trees, before a yawl boat could be rowed up to Houston. Four days were consumed in its passage from Harrisburg to that city. On January 26, 1837, the first steamboat, called the *Laura*, Thomas Granger,

served; it remained practically unchanged for many years, except for additions at the back. In 1882 the wooden structure was entirely demolished and A. Groesbeck erected on its site a handsome brick hostelry, and named it the "New Capitol Hotel." This eventually passed into the hands of Wm. M. Rice, and as part of the property bequeathed by him to the Rice Institute, was, through its Board of Managers, replaced by a splendid building, eighteen stories high, called the "Rice Hotel." Thus did the best known landmark of Houston lose its historic title, and receive in its stead that of an old citizen, who laid the foundation of his fortune in the first years of its settlement.

Captain, landed at Houston, and on April 21, of the same year, the first sailing vessel, the *Rolla*, arrived, just in time for many of the passengers to attend there, the first anniversary ball of the battle of San Jacinto. Navigation between Harrisburg and Houston was always extremely difficult, and on that account many people believed that it would be impossible to build a town at Houston.

As early as May, 1839, *The Morning Star* mentions the names of the committee which had been appointed to make improvements in Buffalo Bayou,—J. D. Andrews, President; William M. Bronaugh, Secretary; Henry Kesler, William Pierpont, William M. Cook and George Allen, committee. It is probable that the work consisted mostly in cutting away the branches and dense foliage of magnolia and other trees which overhung the stream.

The first two years in the life of Houston were marked by great activity in the organization of societies of various kinds. There were grave minds among the first settlers, as evidenced by the existence of a Philosophical Society before the close of the first year. The original constitution of this society was in the possession of Mrs. Jane Gray, widow of Judge Peter W. Gray, and was read by her at the celebration of Texas Independence Day held at my home, March 2, 1892. Unfortunately this interesting document, embracing also the names of the first members, was soon afterwards lost or misplaced by its owner.⁷

As in most early settlements of the South and West, the love of horses and horse racing held sway in Harris County. Old settlers have told that meetings in neighborhoods for this sport would hold for several days; there would be races by day and dances by night. While the aspiring new city had a Philosophical Society in its first year, the desire of the sporting citizens for a regularly organized society for the proper conduct of "the races" was recorded in the next. On October 31, 1838, the Jockey Club came into existence, and for many years the newspapers containing notices of the races under its management formed a feature of interest as absorbing to the community as are the records of base ball today.

⁷In the *Houston Post* of March 3, 1893, Mrs. A. H. Mohl's report of the celebration mentioned, gives the names of some members of the Philosophical Society.

Histories of the churches of Houston show that several congregations of different denominations were formed in 1838. A tablet on the inside of the front wall of Christ Church (Episcopal), corner of Texas Avenue and Fannin Street bears this lettering:

"In memory of the First Vestry of Christ Church, elected April 1, 1838. Wm. F. Gray, Senior Warden; E. S. Perkins, Junior Warden; D. W. C. Harris, Clerk.

VESTRYMEN

Geo. Allen, Memucan Hunt, Todd Robinson, John D. Andrews, Charles Kessler, James Webb, John Birdsall, Wm. Pierpont, A. F. Woodward."

While Chaplain of the Senate 1837-1838, Rev. Littleton Fowler (Methodist) preached for the citizens, and obtained from A. C. Allen a deed to half a block of ground on Texas Avenue, on which was afterward built the first Methodist Church, called Shearn Church, in honor of Charles Shearn, a prominent citizen and leading member.

Rev. W. Y. Allen of the Presbyterian Church arrived at Houston on March 31, 1838, and bore an important part in building up a Presbyterian congregation, and in organizing a Sunday School and Bible Society. Newspaper records show that the Bible Society had among its officers citizens occupying high positions in the State and County.

The members of the Baptist Church held regular meetings, and had advanced so far, on August 25, 1838, as to procure a bell, which, it was announced, would ring at the proper time for assembling.

The Roman Catholics were ministered to by two Missionary priests, Father Timon and Father Odin, who were sent out from the Lazarus House of St. Louis, Missouri.

The religious services of the Protestant denominations were held for several years, sometimes in the Senate chamber and often in the court-house.

The first temperance society of which there is any record in Texas was organized at the capitol on February 20, 1839. Speeches

were made by many prominent citizens, and General Houston made a strong argument in favor of temperance.

Meantime the carpenters, whose services were in great demand, united, and established a bill of prices for work; they organized as "Master Carpenters," in February of the same year, and their example was soon followed by the printers, who formed the Texas Typographical Association.

Beside these evidences of progressive organization, which signaled the momentous year of 1839, Houston could boast of a Fire Company and Fire Engine No. 1; a Board of Health, and a corps of City Hospital Surgeons; merchants, who advertised to have constantly on hand a supply of ice (although it was brought by sailing vessels from New England), and others who had schooners ready to carry passengers or freight from Houston to New York. There was "A Young Men's Society" which met in the Senate chamber, and debated such questions as, "Ought duelling to be punished as a Capital Crime?"^b There was a dancing and waltzing academy, where the latest dances from New York were taught, a fancy bakery on Main Street, where fine cakes were made and sold. Select military balls were given on the anniversary of the battle of San Jacinto, when only the officers of the army and navy, their families, with others specially invited, were allowed to be present. Public dinners, given to distinguished visitors, whom business or curiosity called to the capital, were marked by after dinner speeches of rhetorical merit worthy to rival those on similar occasions in older and more pretentious cities.

The cause of education was represented by several private schools, but was chiefly centered in the "Houston City School," conducted on broad lines, which made it virtually open to rich and poor. A tuition fee of three dollars per month was charged, but the children of parents unable to pay this amount were admitted free. The course of study embraced all branches taught in first class academies, and its business affairs were under the management of a school committee.

There was, however, one serious drawback to improvement, and the increase of population in Houston, which was lightly touched upon by the newspapers of that day, and which limited knowledge

^b*The Morning Star*, June 4, 1839.

of sanitary laws rendered the people powerless to prevent, namely: the almost yearly prevalence of yellow fever. This dread disease, in some years, literally decimated the population, and accounts in large measure for the slow growth of the city at this period, and for many years afterward. There were no professional, or trained nurses, and kind hearted residents forgot all selfish interests, turned their homes into hospitals for afflicted friends, and, in many cases for strangers, and devoted themselves to the needs of the sick. Details of countless instances of Christian devotion, well known to old citizens, would fill volumes illustrating the large hearted character of Houston's first settlers. The very name "yellow fever" carried the suggestion of mortality, and was not used by the press, when it could be avoided, and never until the disease was known to be raging with great virulence. The fall of 1839 witnessed a very fatal epidemic of this plague.

Houston had made steady advances during its two years as capital of the Republic. When this honor, the source of its distinction, and in large measure of its prosperity, was withdrawn, a cloud of gloom gathered and spread. Congress, in 1839, decreed that Austin should henceforth be the capital. After this law went into effect, and the removal of the archives took place, Houston had the air of a deserted town. A census, taken a short time before, stated that the resident population was 2073,—males 1620, females 453—amount of property assessed \$2,405,865. The prosperity then existing was shown by the fact that there were two theatres, several hotels and boarding houses, to say nothing of business houses, and five steamboats were plying regularly between Houston and Galveston. It was the largest town in Texas, and its citizens were of a character to overcome obstacles. However, during the period of depression following the removal of the capital, some of them, recognizing the superior natural advantage of Harrisburg (viz: good navigation), removed thither. The lawsuit which had been pending between the Harrises and Wilsons had been settled by compromise, and the property owners felt that, if a railroad could be built to the Brazos, the facilities for shipping at Harrisburg would at once build up the town. Several leading families devoted themselves to this enterprise, and moved from Houston to Harrisburg. A sharp rivalry sprang up between the towns, which were only five miles apart in a straight line, though

the many curvings of the Bayou more than doubled the distance by water. The idea of railroad transportation from the head of navigation to the rich cotton lands of the Brazos opened a vista of future prosperity, and resulted in the initial railway enterprise of Texas, the Harrisburg and Brazos Railroad, which was projected in 1839, and actually begun early in 1840. A contract for railroad ties was entered into between A. Briscoe, proprietor of the railroad, and Maurice L. Birdsall, on the 28th day of February, 1840.⁹ One of the provisions of the contract shows the unsettled state of the country. It was expressly stated "that, should the country be invaded by a foreign foe, from the time that said foe shall enter the limits of the Republic till they shall depart beyond said limits, all obligations of either party by this contract shall be suspended, and shall commence again on the departure of said enemy." Attached to the contract are receipts issued to Ely and Ager, subcontractors at different times, in amounts of one hundred and fifty dollars each, cash payment, in Texas promissory notes. Some of the receipts are dated May 8, 1840. A considerable number of the ties contracted for were delivered along the graded road-bed, which extended for about two miles out from Harrisburg, toward the Brazos River. The grades were still to be seen within the memory of the writer. Handsome certificates of stock were printed, and are in my possession, relics of the first railroad enterprise in Texas.

A paper marked, "California Railroad" in the papers of A. Briscoe, offers a complete plan for the building of a railroad to San Diego on the Pacific Coast. The line proposed, was to go by

⁹Birdsall agreed "to take from the woods and deliver within thirty feet of the line of said railroad three thousand pieces of post oak or cedar timber, in a sound state, seven feet in length, clear of the chip or kerf, and from eight to twelve inches in diameter, hewn straight on one side, and that said timber shall be deposited five sticks or pieces to every twenty-five feet of the road; also that five hundred pieces shall be delivered within one month from the first day of March of the current year, and that the remaining twenty-five hundred shall be delivered within four months thereafter, at the discretion of the said Birdsall." Birdsall was to receive payment of fifty cents lawful money or its equivalent in promissory notes of the government, for each piece of timber so delivered. Among other provisions of the contract, was one that Birdsall should receive certificates of railroad stock for any balance due him after the payment of all expense incurred by him had been met. Certificates of stock were to be issued when the road should be vested in a chartered company, or when it should be completed to the Brazos timber.

the way of Richmond, to Prairieville, Fayetteville, through Rock Island, through Washington County to Austin; thence to El Paso, by the most direct route. The practicability of this route was largely based upon a report made by Major Neighbors, and other immigrants. It was also urged as possessing advantages over any other, because work could be carried on at all seasons of the year, not having to lie by for snow and cold weather.

The plans for selling town lots as the road progressed was one of the schemes for raising revenue. And but for the unsettled condition of the country due to threatened invasion, this initial railroad to the Pacific might have taken permanent form.¹⁰ This vision became a reality with the completion of the Southern Pacific in 1883.

But, those citizens of Houston who had invested all their fortunes, however small, in the future of that place, determined also to have a railroad to the cotton fields. As early as April 25, 1839, The Houston and Brazos railroad, with A. C. Allen as president of the company, appeared from time to time in the advertising columns of the *Morning Star*. It was designed to run *via* Brazos City to Austin, and notices over the signature of James S.

¹⁰The *Morning Star*, Friday, March 20, 1840, contains a report of the surveyor of this pioneer railroad, also the report of a committee that had been appointed to select the route. The report is signed by Stephen Richardson and Wm. P. Harris, committee, and by A. Briscoe, Trustee for Jacob Rothans, Engineer, Harrisburg, March 18, 1840, with the request that, the "Galveston Civilian and Richmond Telescope will copy and forward account."

About one year afterwards the same parties were operating under the charter of the Harrisburg Railroad and Trading Company. Its Board of Directors was A. Hodge, Stephen Richardson, Andrew Briscoe, Robert Wilson and D. W. C. Harris. They organized by electing A. Briscoe President pro tem., Lewis B. Harris, Secretary pro tem., and John P. Borden, Treasurer pro tem. Subscription books were opened at Harrisburg by Stephen Richardson and D. W. C. Harris, at Galveston by John S. Sydnor and A. M. Jackson, and at Fort Bend by John P. Borden and James B. Miller.

The failure of the first attempt at railroad building did not dishearten the people of Harrisburg, and after annexation gave assurance of the safety of investments in Texas, largely through the efforts of General Sidney Sherman, one of its citizens, they began to enlist the interest of Boston capitalists. By this means the first railroad built in the State, The Buffalo Bayou, Brazos, and Colorado Railroad, was chartered February 19, 1850, and the company organized June 1, 1850. Construction went forward steadily and in a few years cotton was transported by rail from the Brazos plantations to the wharf at Harrisburg—forming a large part of Texas commerce. For a more extended account of this railroad see THE QUARTERLY, VII, 279.

McGahey, who had contracted to grade ten miles of road, were inserted occasionally in the papers, up to April, 1842. Whether any work was actually done on this road is not known.

The city of Galveston having been incorporated, February 5, 1840, an act requiring the postmaster general to contract for having the mail carried twice a week between Houston and Galveston, was passed by the third Congress and approved by President Lamar on the same date, February 5, 1840. Soon after this, regular mail packets began running between Houston and Galveston; the appointed hour for leaving Houston was 10 a. m. The boat was expected to spend one day of twenty-four hours in going, and the next in returning. The steamboat *Albert Gallatin*, Captain Sterrett, and the *Dayton*, Captain S. B. Eves, were among those early packets, which greatly promoted the business interests, and the comfort of the traveling public. They afforded the quickest means of transportation; yet, the shallow waters on Redfish and Clopper's Bars obstructed navigation in the bay, so that, during the prevalence of northers, boats were often obliged to await a change in the weather, to avoid being stranded for many days on these bars.

Weekly mails had been received by carrier from Austin since soon after the establishment of the seat of government there; western mails *via* Richmond, Columbia, Brazoria, Columbus, Matagorda, etc., eastern, *via* Montgomery, Washington, Nacogdoches, San Augustine and Red River County; those to the United States and Europe were *via* Galveston by steam packets, according to the days of their arrival and departure. It was occasionally noted in the Houston press at this time that, "nearly a month had elapsed since the receipt of mail from the United States," and many letters and important documents were conveyed by private hands or special messengers.

A few spasmodic efforts were made to induce immigration. One of these, by which the property holders of Harrisburg again sought to build up their town and its environs was by the introduction of a French colony under the auspices of Snider de Pellegrini.¹¹ He

¹¹Papers of the Harrisburg Town Company record that, on July 23, 1842, in the city of Galveston an agreement was entered into between "M. Snider Pellegrini, Knight of the Great Cross of the Order of Jerusalem, Director of a society of Colonization established in France, and of which the central office is in Paris, and residing now at Galveston, Texas, on the one part,

agreed to bring in French immigrants, establish a large bank, warehouse, and store, import merchandise from France, and settle the town and adjoining lands with thrifty Frenchmen. The scheme promised well. The laws of Texas allowed free importation of French wines, etc. Pellegrini built an immense warehouse at Harrisburg. In it he gave a grand ball, at which choice wines and costly French confections were served. Preparations were made for furnishing the immigrants with lands, on which to establish vineyards, as in France. But immigrants did not come in large numbers, and most of those who availed themselves of Pellegrini's inducements fell victims to malarial and other climatic diseases. They were unaccustomed to the hardships of primitive modes of life, and the brilliant enterprise having resulted in failure, its originator was denominated "a mad castle builder."

and Mr. Wm. P. Harris, one of the principal proprietors of the town of Harrisburg, Harris County, and residing on his farm, Harris County, Texas, on the other part for himself and in the name of the other proprietors of the town of Harrisburg."

The agreement is written in both French and English; its terms are very liberal towards Pellegrini, ceding to him certain blocks of lots, and lands, the free use of timber on other lands, and all the bricks then in the brick kiln at Harrisburg. It further provides that, "the exclusive right and privilege of banking which the proprietors of the Town of Harrisburg may have either as a corporation or in virtue of their charter for the Harrisburg Railroad and Trading Company shall be given to Pellegrini. One third of all the advantages which may hereafter accrue by virtue of said charter shall accrue to the said Pellegrini."

"It is also agreed that two leagues of land shall be reserved in the vicinity of Harrisburg during five years, to be sold in lots to emigrants at an average of five dollars per acre, and a commission of ten per centum shall be paid to Mr. Pellegrini for such sales."

Pellegrini on the other hand obligated himself "to establish at Harrisburg, there to remain at least five years from the date of this instrument, his principal commercial House, and his principal office for the issue, circulation, and redemption of his paper money. To secure the redemption of which he shall have one third of the amount of circulation in specie and an agency in New Orleans. The said Commercial House shall, after the expiration of four months employ a capital of at least fifty thousand dollars."

Pellegrini agreed "to direct to Harrisburg the greater part of the emigrants which the Society of which he is the Director shall send to Texas." The last clause of the document stated that, "It is agreed that if any alteration shall be deemed important to the general interest to alter the present plan of the town of Harrisburg it shall be effected according to the wishes of Mr. Pellegrini, and among said alterations a water street of the width of sixty feet shall be made on each side of the river."

The document is signed in duplicate by Snider de l'ellegri and Wm. P. Harris, and witnessed by D. W. Clinton Harris, J. S. Huttner, S. T. Leger, D. M. P., and Coisy. The original contract is in my possession.

The prosperity of the country was continually interfered with and set back by threats of Mexican invasion; all the able bodied men were expected to respond at short notice, and equip themselves for military campaigns of uncertain duration, while their business interests were neglected, and in many instances abandoned.

History has never given an adequate idea of the deadly stagnation of business enterprises, in the Republic, nor of the excitement caused both within and without its borders by the Mexican occupation of San Antonio in September, 1842. The frequent call "to arms," sounded the death knell of many business ventures. Foreign promoters of immigration societies, as well as friendly capitalists in the United States, were wary about risking investments where conditions were so unstable.

The citizens of Houston had not allowed themselves to be disheartened by the loss of the seat of government. It was believed by many, that the location of the capital at Austin would not be permanent, that the authority by which it had been removed thither, might, in a short time, decree its return; these hopes were temporarily realized in 1842, when a session of congress was again held at Houston. But, the practical business men did not rely upon such a contingency; they realized that proximity to the best cotton growing lands, and to water transportation, constituted the real basis upon which Houston could be made a city, and the great cotton market of Texas. With concerted action they encouraged business by every honorable means practised in larger cities. One of the first steps taken, was to obtain a charter for a chamber of commerce, which was done early in 1840, and the spirit of combination begun at this time was systematically followed by Houston's business men.¹²

In 1842 the merchants offered a prize of a silver cup for the first five bales of cotton of that year's growth, and a gold cup for the first twenty thereafter. Both prizes in that year were won by

¹²The act which granted a charter for the chamber of commerce was passed by the first session of the Third Congress, and approved January 28, 1840. The names of the incorporators were: Thomas M. League, Henry R. Allen, William D. Lee, J. Temple Doswell, T. Francis Brewer, George Gazley, E. Osborne, Charles J. Heddenberg, John W. Pitkin, Charles Kessler, E. S. Perkins, DeWitt Clinton Harris,—all merchants of the city of Houston.

L. W. Groce.¹³ The gold cup is still in the possession of the Groce family at Hempstead, Texas. It is interesting to note that he was a son of Jared E. Groce, one of the largest cotton planters of early Texas, who is said to have established a cotton gin on the Brazos river in 1825, the second in Texas, the first having been owned by John Cartwright in the "Redlands" of East Texas.

At this time the Masonic fraternity and the Independent Order of Odd Fellows were both firmly established in local lodges, and, besides, Houston was the seat of their grand lodges. Houston had its chamber of commerce, its board of health, its medical and surgical society, its philosophical society, a German society organized for philanthropic purposes, its committee for the improvement of navigation on Buffalo Bayou, its typographical association, its crack military company, the Milam Guards,¹⁴ and its newspapers endeavored to create an impression that they were located, not only in a real, but a very important city.

The boat landing at the foot of Main Street was the center of commercial activity, which was shared by the business houses for two or three blocks on Main, and to a limited extent on Commerce and Franklin Streets. Nearly every merchant handled cotton, hides, and peltries. Cotton was truly king.¹⁵ It was not unusual to see in the newspapers proffers "to sell a likely negro boy or several of them for cash or cotton." Long trains of many yoked ox teams hauled the staple from plantations on the Brazos and Colorado Rivers, and delivered it to these stores at the lower end of Main Street, and there awaited their return loads of merchandise for planters and settlements in the interior. Weeks were consumed in effecting these long hauls over bad roads.

The cotton receipts at Houston steadily increased. A statement of the amount of cotton actually shipped from Houston from

¹³A. S. Ruthven to L. W. Groce, August 12, 1842, in *Telegraph and Texas Register*, August 14, 1842.

¹⁴For a sketch of Captain Joseph Daniels, organizer and first captain of the Milam Guards, see *THE QUARTERLY*, V, 19.

¹⁵According to official records of cotton production in Texas, kept in the office of the State Department of Agriculture, the total cotton yield in the year 1830 (which is the first record), was 335 bales. When we note that the preceding year Groce had contracted to deliver to John R. Harris and Zeno Phillips at Harrisburg, from ninety to one hundred bales, probably one-third of the whole cotton crop of Texas, it is evident that Harris County established its position as a cotton market, at a very early date.

September 1, 1844, to August 31, 1845, shows 11,359 bales, and an estimate was made in November, 1845, that at least 16,000 bales would be shipped that season.¹⁶ Contrast these figures with the report from the State Department of Agriculture, furnished by the secretary of the cotton exchange at Houston for the cotton year 1912-1913, which shows shipments of 3,324,553 bales; then compare the first cotton contract entered into at Harrisburg in 1829,* with the shipments of Weld and Neville, from identically the same spot, during the period June 1, 1912, to June 30, 1913, of 211,195 bales. One sees here a fulfillment of the aspirations of those early settlers who strove to establish on the banks of Buffalo Bayou one of the great cotton markets of the world. But, with the realization of this early dream of mercantile power, the second and third generations have taken the place of the first, the nineteenth century superseded the twentieth; to look through the long vista of thronging, eventful years, and see Harris County as it was then, presupposes a mass of historic knowledge and many a treasured tale of traditional lore.

Following the newspaper records we see that previous to the month of November, 1845, a few large brick buildings had been erected, and some brick sidewalks built in the business part of the city of Houston, a daguerrean gallery had been opened by H. R. Allen on the east side of Main Street near the wharf. These items illustrate the small limits of the town, whose chief activities were near the boat landing.

From travelers notes, and from newspaper jottings, we learn that, the only trade, except cotton, showing much life from 1842 until annexation, was that of politics. Public interest in the affairs of the United States was centered exclusively upon the all absorbing topic of "annexation." The ultimate fate of Texas, whether she would be admitted as one of the United States, or continue her independence under the protectorate of England, or of England and France combined, was an all absorbing subject. The recent publication of "Correspondence from the British Archives Concerning Texas" in *THE QUARTERLY*, throws a strong light upon this period. Under the conditions thereby portrayed,

¹⁶See *Telegraph and Texas Register*, October 8, and November 5, 1845.

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one wonders, not at the lack of progress in Houston and Harris County, but rather that any progress at all was made anywhere in Texas. News of the passage of the annexation resolution by the United States Congress caused an immediate rise in the value of Texas bonds and notes, and its effect on all commercial interests was shared by Harris County. It was not, however, until after the Mexican War had brought a feeling of perfect security that enterprises of any magnitude were undertaken.

On April 21, 1845, the citizens of Houston expressed their ardent wish for annexation by assembling at the Presbyterian Church, passing resolutions in its favor, and recommending "the several counties in the Republic to meet in primary assemblies to express their will on the subject, and to take such measures to accomplish the matter as they may deem most advisable." M. P. Norton presided over this meeting. Geo. H. Bringhurst and A. M. Gentry were secretaries. The committee which drafted the resolutions was composed of J. W. Henderson, Francis Moore, Jr., William McCraven, F. R. Lubbock, J. Bailey, A. Wynne, I. W. Brashear, T. B. J. Hadley, T. M. Bagby, William M. Rice, C. McAnnely, M. T. Rodgers, M. K. Snell, H. Baldwin, S. S. Tompkins and John H. Brown.

Harris County elected as delegates to the convention, which framed the constitution of 1845, Isaac W. Brashear, Alexander McGowan and Francis Moore, Jr. All measures necessary for the ratification of the terms of annexation having been complied with, and a date appointed for an election of officers to govern the State of Texas, Harris County chose P. W. Gray and J. N. O. Smith members of the House of Representatives, and Isaac Brashear State Senator.

The following statement in regard to the number of votes cast at this period, undoubtedly one of absorbing interest, affords a very slight, uncertain basis for computing the citizenship of the county seat and county: "In the presidential election of 1844, Harris County cast 686 votes, and in the election of delegates to the convention of 1845, 734 votes, of which 469 were polled in Houston."¹⁷ The same authority gives the following figures on the vote upon the adoption of the constitution framed by the con-

¹⁷Burke's Texas Almanac, 1879, 88-90.

vention mentioned above, together with the question of annexation. This vote, which was taken in Harris County on October 13, 1845, stood "For Annexation," 324, of which 241 votes were cast in Houston; "Against Annexation," 50, of which 44 were cast in Houston; "For the Constitution," 299; "Against the Constitution," 68. The *Telegraph and Texas Register* states that very little interest was manifested, as an impression seemed to prevail that a large majority would be given for the Constitution and annexation, and many voters neglected to attend the polls.

In the election of state officials, which took place on December 15, 1845, there was much more interest. The largest vote was polled for the representatives. The records of the *Telegraph and Texas Register*, published a few days later, state that 995 votes were cast in Houston, 117 at Lynchburg, and 77 at Harrisburg (other voting precincts were not given), making a total of 1189 votes.

No official estimate of the population of the county or city seems to have been made until the census of the United States was taken in 1850, four years after Texas had been admitted to the Union. The county is therein accredited with 4668 population, of whom 2396 resided in the city of Houston, and 905 of the total population were negroes. When we consider that, in 1839, a canvass to determine the number of residents in the city of Houston had shown that there were 2073, at that time, it is plain that the actual increase during these eleven years had been extremely small.

The fluctuating character of much of the population, changing continually as favorable or unpromising conditions arose, many men never staying long enough to acquire the privilege of franchise, makes the voting strength of the town or county an unfair criterion of the real number of people living within their precincts. It is certain that the proportion of families was small when compared with the number of single men, so that an estimate based upon the scholastic population would not be at all applicable for that time. It is evident, however, that the advocates of annexation were disappointed in their expectation that an immense flow of immigration would immediately result from the realization of that measure. Families came, but not in large numbers. Many towns were planned and platted in early days which never had half

a dozen residents. Nearly every large landholder on the bayou and bay shore aspired to be the founder of a town. Among those were Hamilton, on Buffalo Bayou, opposite Harrisburg, which was soon merged into the latter place. Buffalo, near the mouth of Vince's Bayou, which was also short lived; Louisville, a few miles below Lynchburg, failing to become a town, was known as Scott's Place. New Washington soon took the name of its founder Colonel James Morgan, and is today Morgan's Point, San Leon was located at Edward's Point. None of these developed as their founders anticipated, but the two last named have in recent times become favorite summer resorts. San Jacinto was laid off on the San Jacinto River opposite Lynchburg, and for many years these two places were rivals in the business of boat building, most of the sailing craft and row boats being built there, and the steam boats were overhauled, repaired and repainted by their town workmen. But for the disastrous storms which submerged and destroyed their improvements at different times, they would be of great importance today.

Houston attained its position as a regularly incorporated town in 1837, and neglected no opportunity to assert and maintain its rightful claim to be a leading town. Unfortunately the original records of the city administration were destroyed by fires which consumed the market house and city hall. The files of two newspapers, *The Telegraph and Texas Register* from 1838 to 1856 (incomplete) and *The Morning Star*, April 8, 1838, to October 26, 1844, together with a book representing much valuable research, called *A Historical Review of Southeast Texas* by Hardy and Roberts, have been called into service for a compilation of the list of City officials.¹⁸

It seems that both Houston and Harrisburg were included in an act of Congress of June 5, 1837, incorporating the town of Nacogdoches.¹⁹ That the citizens of Houston speedily held the necessary meeting for availing themselves of the powers therein granted is evident from the following item: "On June 22, fol-

¹⁸Articles in the *Houston Post*, June 25, 1901, contain reprints from the *Daily Telegraph* of July 9, 1876, recording the fire of the preceding day, and an account of the second fire which occurred June 24, 1901.

¹⁹Laws of the Republic of Texas, October 25, 1836, to June 12, 1837, pages 238-239.

lowing the passage of this act there was held a citizens meeting with Robert Marsh, President, and Thomas W. Ward, Secretary. . . . The *Telegraph*, September 29, 1837, gives notice of a special election signed by Jas. S. Holman, Mayor, to fill vacancies left by Hugh McCrory and Herman Kelcey, deceased."²⁰ No other city official is mentioned, but the need of a city government in a town which had grown almost in a night, and the brief record given, leaves no doubt that such existed so soon as the requisite authority for creating it could be carried into effect.

On January 25, 1839, an act to incorporate the city of Houston²¹ provided for the enlargement of the city limits, for the collection of city taxes, and gave to the authorities duly elected full powers to regulate and control everything necessary for the convenience and safety of the public. It was under this act of incorporation that Francis W. Moore, who has generally been regarded as the first mayor, went into office.

Newspapers of April, 1839, give the names of city officials in attendance at the meeting of the council in that month as follows:

Francis W. Moore, mayor; Asa Brigham, J. W. Moody, A. Ewing, W. Pierpont, Robert Miller, J. G. Welchmeyer, aldermen. On October 4, 1839, the following officials were given: Geo. W. Lively, mayor; C. J. Heddenberg, J. W. Moore, John Carlos, George Stevens, Thomas M. League, A. Wynne, aldermen. To these are added the following officials compiled from the volume mentioned above: D. W. Babwell, recorder; J. W. Bergen, secretary; J. H. Brown, treasurer; Thomas Stansbury, Jr., marshal; James Way, constable; Thomas E. Graws, market master; Isaac Reed, sexton; Geo. H. Bringham, surveyor; Cruger and Moore, printers.²²

²⁰Hardy and Roberts, *Historical Review of Southwest Texas*, I, 230, 281, 282.

²¹Laws of the Republic of Texas, First Session, Third Congress, I, page 84,

²²Hardy and Roberts, *Historical Review of Southeast Texas*, I, 237-238, gives the following list from 1840 to 1845:

1840.—Charles Bigelow, mayor. Aldermen: First ward, H. R. Allen, Edmond Osborn; Second ward, William M. Carper, John Carlos; Third ward, George Stevens, John W. Moore; Fourth ward, F. Gerlach, A. Wynne. Recorder, D. W. Babwell; secretary, J. W. Bergen; treasurer, J. H. Brown; inspector, T. F. Graves; marshal, D. Busby; surveyor, G. W. Bringham; Constable, W. F. Moody.

1841.—John D. Andrews, mayor. Aldermen: First ward, M. De-Chaumes, Barry Carraher; Second ward, Francis Moore, Jr., C. McAnelly;

Houston had three official postmasters during the period of the Republic of Texas. The first was Thomas M. League, the second, Thomas William Ward, and the third Martin K. Snell. The post-offices were kept at different places, at one time at the Houston House, a leading hotel, then in Cruger and Moore's building, described in old records as on Main Street opposite the White House.²³

A great many families of Houston, usually reckoned among the first settlers, and whose names have been perpetuated by descendants, still living, did not become citizens until some years after the period here dealt with, and on the other hand a large proportion of those whose names are recorded in these pages left no children and are to the present citizenship comparatively unknown. Changes in population were frequent; many became discouraged

Third ward, George Kimball, George Fisher; Fourth ward, Thomas Stansbury, C. W. Buckley. Recorder, R. R. Wilkins; secretary and treasurer, H. Hyland; marshal, D. Busby; deputy marshal, James H. Clark; constable, H. T. Woody; wharfmaster, Charles Gerlach; marketmasters, E. H. Haines, Jacob Rothaus; surveyor, Charles Bowen; sexton, Michael Connelly.

1842.—John D. Andrews, mayor. Aldermen: First ward, M. DeChaumes, T. Donnellan; Second ward, Charles Shearn, A. S. Ruthven; Third ward, George Kimball, George Gazley; Fourth ward, Thomas Stansbury, E. S. Perkins. Recorders, John Scott, William G. Evans; secretary and treasurer, J. H. Clark; marshal, D. Busby; constable, H. T. Woody; marketmaster, Charles Bowman; wharfmaster, D. Wheeler; surveyor, Jacob Rothaus; sexton, Michael Connelly.

1843.—Francis Moore, Jr., mayor. Aldermen: First ward, T. Donnellan, R. P. Boyce; second ward, John Church, J. W. Schrimpf; Third ward, Jesse R. Randell, A. McGowan; Fourth ward, E. S. Perkins, H. Baldwin. Recorder, George Fisher; secretary and treasurer, John Fitzgerald; marshal, D. Busby; constable, H. T. Woody; marketmaster, Charles Brown; surveyor, Jacob Rothaus; sexton, S. D. Staats; printer, James Cruger.

1844.—Horace Baldwin, mayor. Aldermen: First ward, M. H. Shyrock, R. Levenhagen; Second ward, E. B. Nichols, W. J. Hutchins; Third ward, J. DeCordova, A. McGowan; Fourth ward, C. R. Hopson, H. S. Bachelder. Recorder, Justin Castanie; marshal, James A. Young; constable, William Smith; secretary and treasurer, John Fitzgerald; marketmaster Charles Bowman; wharfmaster D. Wheeler; sexton, S. D. Staats.

1845.—W. W. Swan, mayor. Aldermen: First ward, J. A. Harris, B. Carraher; Second ward, W. J. Hutchins, T. M. League; Third ward, J. DeCordova, B. A. Shepherd; Fourth ward, C. R. Hopson. Recorder, James Bailey; marshal, W. H. Smith; secretary and treasurer, John Fitzgerald; marketmaster, C. Bowman; wharfmaster, D. G. Wheeler; surveyor, Jacob Rothaus; sexton, R. W. Ridgway.

²³The residence of the President was given this imposing title in imitation of the parent Republic's white house at Washington.

and moved away on account of sickness or business depression, while fatal diseases cut off the lives of hundreds every year.

Among the names of citizens not otherwise recorded in this sketch, who, in their several professions and avocations contributed towards building up the city during the period of its infancy and maintaining its status until annexation gave assurance of future prosperity, are the following: A. C. Allen, John K. Allen, Samuel L. Allen, William M. Rice, F. A. Rice, Thomas William House, William J. Hutchins, E. B. Nichols, George H. Bringham, Benjamin Fort Smith, Francis Richard Lubbock, John Woodruff, Robert Wilson and J. T. D. Wilson, Charles Shearn, Henry Francis Fisher, George W. Kimball, Lodowick Justine Latham, Cornelius Ennis, Henry Whitney Fontaine, John Houston, Alexander McGowan, Thomas M. Bagby, Isaac Wright Brashear, H. M. DeChaumes, Colonel Francis W. Johnson, Jacob Cruger, William R. Baker, T. B. J. Hadley, Paul Bremond, E. W. Taylor, Henry Sampson, Robert P. Boyce, B. A. Shepherd, Bering Brothers, O. J. Cochran, H. D. Taylor, John Kuhlman, Captain John F. Sterrett, Captain Frederick Wilmot Smith, James Rather, Dr. Alexander Ewing, Dr. J. E. Jaeger, Dr. Ashbel Smith, A. J. Burke, E. Mather, Alexander Thurston, William Fairfax Gray, and his sons, Peter W., William Fairfax, and A. C. Gray, Stephen F. Noble, Edward P. Noble, Stephen Richardson, Dr. I. S. Roberts, Dr. William A. Elliot, Captain Joseph Daniels, Daniel T. Fitchett, Dr. Francis Moore, S. P. Christian, John W. Schrimpf, N. T. Davis, Peter Bauman, George F. Baker, Peter Gable, Alan-son Taylor, John Kennedy, Burchard Miller, Dr. John L. Bryan, Patrick C. Jack, Horace Baldwin, Robert F. Campbell, Benjamin F. Tankersley, J. Shackelford, Jr., J. D. Groesbeck, Moseley Baker, Thoms T. Bailey, Samuel H. Frost, A. S. Ruthven, C. F. Duer, Joseph A. Harris, L. S. Perkins, J. F. Torrey, Newton Carson, John P. Morris, N. Davis, Charles Stephens, F. W. Robertson, John H. Brown, William Needham, B. Levenhagen, Colonel James F. Reilly, H. Runnels, J. Castanie, J. Fitzgerald, Dr. Hart-ridge and Dr. H. D. Cone, George Gazley, C. A. Morris, J. M. Robinson, J. W. Pitkin, J. W. Scott, Francis Gassiot, Thomas Davidson, T. R. Taylor, R. R. Wilkins, J. V. Cowling; Claude Nicholas Pillot came with his family to Houston in 1837, and lived there a short time, removing thence to Willow Creek, twenty-

six miles to the north of the town, where he opened a farm. Members of his family subsequently moved to Houston, where their descendants now live.

Members of the medical and surgical society in 1840 were William M. Carper, Robert Watson, C. Herman Jaeger, A. Ewing, J. Hervey Price, S. Pleasant Baskin, D. H. Leach, Fletcher Dovey, F. L. Lambert, E. Tucker, M. Forest, J. R. Gardener.

Moritz Tiling in his history of the German element in Texas says, that "By the year 1840 Houston counted among its inhabitant more than seventy-five German families and single men." The German Society of Texas organized at this time (November 29, 1840) began with fifty-three members, viz: George Fischer, Theodore Miller, Henry F. Fischer, Charles Gerlach, Conrad Franke, Robert H. Levenhagen, Henry Levenhagen, Jacob Schroeder, J. Hermann,²⁴ Joseph Sandman, Gottlieb Gasche, Martin Rumpff, William Schroeder, Gustav Erichson, Jacob Buchmann, I. L. Knoll, A. Jung, Emil Simmler, Friedr. Otto, Ch. Rienitz, Charles Baumann, Henry A. Kuykendall, Wendelin Bock, Ulrich Fischer, Karl Fischer, John H. Mueller, Friedr. Schiermann, John Koop, Daniel Super, Joseph Ehlinger, Johann Buhn, Anton Brueggemann, William Ewald, Casper Gerlach, Friedr. Lemsky, Friedr. Barthold, K. Hermann Jaeger, Abraham Brodbeck, Johann Grunder, Christian A. Kasting, Peter Dickmann, William Weigand, Ant. E. Spellenberg, Peter Bohl, Johann William Schrimpf, I. Anton Fischer, Dr. De Witt, A. Shanten, Johann Schweikert. Its officers were George Fischer, president; Harry Levenhagen, first vice-president; Theodore Miller, second vice-president; Henry F. Fischer, secretary, and John Koop, treasurer.

Mr. Tiling has in his possession the original minutes of the first meeting of this society—the first German Society of Texas. Mr. Tiling also mentions that among the German families who arrived at Galveston in the brig *North* on Christmas day, 1839, the fam-

²⁴J. Hermann was a native of Switzerland and the father of George Hermann, who, having accumulated a fortune here, left at his death, which occurred on October 20, 1914, a bequest of about five million dollars for the founding of a Charity Hospital for the city of Houston. He had previously donated valuable acreage for a city park to be known as the Hermann Park. Through these benefactions the name of this early emigrant will be forever endeared to the people of Houston.

ilies of Usener, Schweikart, Habermehl, Bottler, and Karcher, and a single man named Schnell settled in Houston.

The German element in Houston and Harris County has always been accounted a valuable asset, and one which has contributed a large share towards the upbuilding of the county. Some of the descendants of these early German settlers are still living in the city and are among its leading citizens.

The foregoing chronicle of the period of small beginnings in Harris County would be incomplete without special mention of some of the distinguished citizens who dwelt on the shores of Buffalo Bayou and Galveston Bay. That they should have chosen homes on these shores excites no surprise in the minds of those who knew these delightful home sites at a time when nature with a free hand distributed her bounties. Such a wealth of forest trees, magnolias, wild peach, bays, laurels, cedars and pines as lined the bayou banks and bay shores to the very water's edge! Such festoons of yellow jasmine and coral honeysuckle, binding in a bower of sweet perfume the flowering ash, dogwood, and hawthorne of the early spring time. The convenience of water transportation, and accessibility to the base of supplies offered a very practicable argument in favor of such locations, and, when to these are added the abundance of fish and game that were close at hand, it is easy to see that the first settlers chose well.

Burnet and De Zavala dwelt near Lynchburg, where Burnet's Bay and Zavala's Point still preserve the identity of their homes. Dr. Ashbel Smith, after living for a few years at Houston, retired to his country place on the eastern bayshore, to "Evergreen," nearly opposite Morgan's Point. His distinguished service to the Republic of Texas in representing the government at the Courts of St. James and St. Cloud are well known, as are his devotion to the interests of the state during the whole of his long life. His great learning earned for him at home the deserved title "Sage of Evergreen," while his cultured manners and diplomatic talents caused him to be known abroad as the "Benjamin Franklin of Texas."

At Cedar Point,²⁵ on the eastern shore of Galveston Bay, General

²⁵Cedar Point is not within the limits of Harris County, being near the left bank of Cedar Bayou, the boundary between Harris and Chambers, but the intercourse by sail boats between all bay shore settlements was frequent.

Houston passed the first year or two, after the beginning of the war between the States. In this quiet retreat, surrounded by his family, but saddened by the failures of his efforts to prevent the severing of the tie which bound Texas to the Union, he witnessed the organization of military companies, and the enlistment of his eldest son, under the command of his friend and neighbor, Dr. Ashbel Smith. His life was drawing to its close, when the family returned to their old home at Huntsville.

Colonel James Morgan's home at New Washington, or Morgan's Point, was well improved as early as 1836. His orange groves were laden with ripe fruit in the fall of that year, and the evening meal of his family and guests was sometimes spread under their shade.

General Sidney Sherman chose Crescent Place, which took its name from a curve of the shore on San Jacinto Bay, and thither he came with his bride within a year or two after the conclusion of the war of 1836. An incident, connecting their private lives very closely with the history of Texas, seems appropriate in this place. When General Sherman, then Captain of a troop of cavalry, was ready to march from Kentucky to help the Texans fight their battle for liberty, a grand reception was given them at Newport, Kentucky. Ladies fair and patriots generous and chivalrous attended this last meeting with the gallant volunteers. A beautiful silk flag was to be presented to the company, and it was agreed that the lady to make the presentation should be no other than Miss Isabella Cox, the bride of Sidney Sherman. This banner, with a goddess of liberty painted on its white field, and bordered with gold fringe, was the only flag known to have been used on the battle field of San Jacinto; and after the battle it was sent by the secretary of state of the Republic of Texas to Mrs. Sherman. Its frayed remains now rest in a glass-covered case in the State Library at Austin.

Francis R. Lubbock, who served the public almost from the time he set foot on the shore of Texas up to the last days of his ninety-odd years, was one of the first residents of the city of Houston. A few years later, he owned and cultivated a farm and raised cattle on Sims' Bayou, about seven miles from Houston, riding back and forth almost every day, while holding the office of district clerk. His later distinguished position as gov-

ernor of the state of Texas, and state treasurer, succeeded by service on the board of pardons, rounded out a stainless life devoted to the public good.

Another of the early residents of Houston, who enjoyed the distinction of serving as governor of Texas, was J. W. Henderson, who, having been elected lieutenant-governor, succeeded to this office, when Governor Bell was elected to the United States Senate. He was a leader in the politics of his State as long as he lived.

Colonel James F. Reilly, who first won distinction as a military man, while Captain of the Milam Guards, was selected to represent the Republic as chargé d'affaires at Washington. The diplomatic talents of this cultured gentleman so identified him with Texas, that, in later years, when President Buchanan wished to honor the State by a foreign appointment, he made Colonel Reilly minister from the United States to Russia.

The names of William M. Rice, W. A. Van Alstyne, James H. Stevens, B. A. Shepherd and W. J. Hutchins, all merchants of the city of Houston before the period of annexation, are to be found on the board of directors of the first successful railroad built in Texas, The Buffalo Bayou, Brazos and Colorado. They all accumulated fortunes; they were men of liberal views, who saw beyond the boundary of their own immediate business and knew that combination was necessary for the enlargement and development of the State's resources.

One of these, who built the nucleus of a fortune in the early days when Houston was a very small town, left the bulk of his immense estate, to be expended in building, equipping and maintaining The Rice Institute. This noble foundation which commemorates its founder, William M. Rice, opened its doors to the public in October, 1912, and has begun its educational work, although several years must elapse before the completion of the grand pile requisite for so large and costly an institution of learning.

To attempt a contrast between the past and the present would draw me too far afield. It is apparent to all that the day of small things, which has been my theme, is gone. Especially in writing of the city of Houston, have I sought to bring forward the public spirit that animated her citizens; how it prompted them from the

very beginning to unite for the public good, how they worked together in the midst of adverse, often most discouraging, conditions, especially after the first two years, but were always determined to get deep water, to have a ship channel, and to make of Houston a great cotton market. Always believing that the future held the prize, they despised not the day of small things, while constantly striving to attain the great ones.

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